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ABSTRACT

Child welfare program standards based on current knowledge, children's developmental needs, and tested ways of meeting these needs most effectively provide benchmarks of excellence that can be used as goals to advance and guide contemporary practice. This book delineates standards for services for abused or neglected children and their families. The standards were developed by the Child Welfare League of America (CWLA), based on extended discussion of principles and issues by experts in social work and related fields and critical review of a preliminary statement by CWLA member agencies, representatives of related professions, and other national organizations. The book discusses how to use the standards and differentiates the standards from accreditation and licensing. The book's introduction describes the origins of child protection efforts; the child protection policy framework; and practice, program, and policy issues in child protection. A new framework for child protection is also presented. The bulk of the book is comprised of the goals and standards for services and is organized in the following chapters: (1) "Protective Service for Abused or Neglected Children and Their Families"; (2) "Social Work Practice in Child Protective Services"; (3) "Working Together To Keep Children Safe: A Community Responsibility"; (4) "Working with the Civil and Criminal Justice Systems in Protecting Children"; (5) "Organization and Administration of Child Protective Services"; and (6) "Protecting Children in Settings Outside of Their Families or Homes." Also included in the book is a glossary of relevant terms. Contains approximately 100 references. (KB)

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STANDARDS OF EXCELLENCE FOR CHILDREN AND THEIR FAMILIES

Child Welfare League of America

STANDARDS OF EXCELLENCE

CWLA Standards of Excellence for Services for Abused or Neglected Children and Their Families

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STANDARDS OF EXCELLENCE

CWLA Standards of Excellence for Services for Abused or Neglected Children and Their Families

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REVISED EDITION

Child Welfare League of America
Washington, DC

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The Child Welfare League of America (CWLA), the nation's oldest and largest membership-based child welfare organization, is committed to engaging all Americans in promoting the well-being of children and protecting every child from harm.

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Foreword

Setting standards and improving practice in all child welfare services have been major goals of the Child Welfare League of America (CWLA) since its formation in 1920. With the issuance of this revision, CWLA reaffirms its commitment to establishing standards of excellence that can be used as goals to advance and guide contemporary practice. As we continue to learn more about the essentials for the healthy growth of children, CWLA can help to redefine the responsibility of society to provide for children the conditions and opportunities that encourage their development.

Since the inception of its program of standards development, CWLA has formulated a series of standards based on current knowledge, the developmental needs of children, and tested ways of meeting these needs most effectively. The preparation of standards involves an examination of current practices and the assumptions on which they are based, a survey of the professional literature and standards developed by others, and a study of the most recent experiences of social work and related fields—child development, child care, education, mental health, psychology, medicine, psychiatry, and sociology—as well as other appropriate and pertinent fields such as management, business, technology, communication, and marketing, as they bear on child welfare practice and management.

The final formulation of standards follows an extended discussion of principles and issues by experts in each service area, the drafting of a preliminary statement, and a critical review by CWLA member agencies, representatives of related professions, and other national organizations.

CWLA's preparation of standards involves the wide participation of local, state, provincial, and national agency representatives. Many CWLA member agencies, including state or provincial human service departments as well as voluntary agencies, have contributed the professional time and travel costs of their staff members who developed these standards, reviewed draft statements, and made suggestions for revision. Representatives of national organizations, governmental agencies, sectarian agencies, universities, and professional associations in related fields have taken part in the various committees.

Purpose of CWLA Standards

CWLA standards are intended to be standards of excellence—goals for the continuing improvement of services for children and their families. They are not the criteria for CWLA membership, although they do represent those practices considered to be most desirable in providing services to children and their families. As goal standards, they reflect what we as a field collectively recognize as the best ways to work with children and their families. They provide us with a vision to which we can aspire. They also are used in the development of the standards of the Council on Accreditation of Services for Families and Children, Inc. (COA).

CWLA standards are directed to all who are concerned with the enhancement of services to children and their families, including parents; public and voluntary child welfare agency governing board members; direct service, supervisory, and administrative staff members; the general public; citizen groups; public officials; courts and judges; legislators; professional groups; organizations serving children and their families; organizations whose functions include the planning and financing of community services; state, county, or provincial agencies entrusted by law with functions relating to the licensing or supervision of organizations serving children and their families; advocacy groups; and federations whose membership requirements involve judgments on the nature of services rendered by their member agencies.

Standards of excellence can stimulate the improvement of ser-

vices only as they question the value of present practices, convey a conviction that change is desirable, offer a philosophic base from which to examine current practice, and provide a vision toward which we can aim. They provide the means to test the premises from which practice develops, and allow the measurement of current services and performance against what is known to be the best possible practice.

Standards are of use in planning, organizing, and administering services; in establishing state, provincial, and local licensing requirements; and in determining requirements for accreditation. They offer content for teaching and training in child welfare and other related fields, in professional schools, in inservice training and staff development programs, and in the orientation of the organization's governing body members, staff members, and volunteers. They can help to explain and justify expenditures and budget requests to fundraising bodies and appropriation committees of legislatures.

Finally, standards can promote an understanding of how a service may more effectively meet the needs of children and their families, what it should be expected to do, and how it can be used. In that way, standards promote increased public interest, understanding, and support for pertinent legislation, improved financing, and the provision of quality services to children and their families.

Review of CWLA Standards

To maintain their visionary quality, CWLA standards are subject to continual review and revision, since knowledge about children, families, communities, human behavior, and the treatment of human needs grows constantly. Developments in management and the social sciences; the continuing evaluation of the effectiveness of current social service practices, policies, and programs; and shifting patterns of social values and social organizations lead to the continued modification of the vision for quality in child welfare practice and management.

The Child Welfare League of America developed its first child protection standards in 1959, with revisions in 1972 and 1986. The 1972 standards focused on defining child protective ser-

vices as a specialized service and differentiating it from other services having similar goals, responsibilities, or methods. The standards primarily addressed child protective services in the context of identification and investigation by public agencies, with services being provided by both public and private social service agencies. The 1986 standards built upon what had been learned since 1972, in particular the effects of sexual and nonfamilial abuse of children. The 1986 standards also introduced the importance of involving the community in protecting children and supporting families. A recurring theme throughout these standards was the emphasis on "constructive social work, rather than punitive measures against parents." This theme continues in the current standards, which stress the importance of a community-based approach to protecting children and serving families within the context of the community.

A committee was formed to review CWLA's 1986 *Standards for Services for Abused or Neglected Children and Their Families.* The committee met for the first time in May 1996. The group of public and private agency administrators and managers represented a broad spectrum of child welfare agencies throughout the United States. Representatives of several other national organizations and other appropriate specialists supplemented the group's expertise.

The draft produced by the committee was circulated to CWLA's five regions for review by the membership. The content of this volume—the result of that process—was approved by CWLA's Board of Directors on February 8, 1998. It henceforth stands as the policy of the Child Welfare League of America for the provision of services to abused or neglected children and their families.

Richard H. Fleming
PRESIDENT
CHILD WELFARE LEAGUE OF AMERICA, INC.

DAVID S. LIEDERMAN
EXECUTIVE DIRECTOR
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Acknowledgments

To all those organizations that contributed their time and resources to enable their representatives to participate in this revision process, CWLA expresses its most sincere appreciation. Special appreciation is due to committee chair Joan M. Reeves, Commissioner, City of Philadelphia Department of Human Services, for her tireless leadership, good humor, and guidance throughout the process; to the Jessie Ball duPont Fund for providing financial support to the revision process; to Fred Simmens, Assistant Deputy Director, Division of Family Services, Missouri Department of Social Services, for doing major work on the revisions while on temporary assignment to CWLA; and to all the members of the committee for their patience, perseverance, and willingness to go the extra mile to achieve an impressive consensus document.

These revised standards represent a large step forward in our thinking and practice with regard to child protection. They call on professionals and citizens alike to work together to strengthen communities, support families, and keep children safe—clearly a daunting task. We applaud the members of the advisory committee for having the vision to address this challenge and to maintain CWLA's longstanding commitment to assuring the highest quality standards of child welfare practice.

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How to Use CWLA Standards

CWLA standards are designed for quick and easy access to pertinent information.

A two-part format for the standards was approved by CWLA's Board of Directors in 1984. One volume, entitled *CWLA Standards of Excellence for the Management and Governance of Child Welfare Organizations*,* presents the generic components of child welfare practice that apply across the field. The components of each specific service are presented in separate volumes and encompass only those service elements applicable to a particular arena of child welfare practice. Each is updated when appropriate.

The contents page of each standard affords a rapid overview of the general and specific subjects covered. For information on a particular practice, the index lists in alphabetical order each subject of interest and its related categories in the text. Each standard is designated by a number. The digit before the decimal point indicates the chapter where the standard can be found; the digits after the decimal point designate its numerical order within the chapter. The first (nonindented) paragraph of each numbered section represents the standard. The rest of each sec-

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* *CWLA Standards of Excellence for the Management and Governance of Child Welfare Organizations* [1996] serves as a replacement for *CWLA Standards for Organization and Administration for All Child Welfare Services* [1984].

tion may be considered as elaboration, explanation, or illustration. The introductory chapter affords a historical background and philosophical overview, and provides perspective for the remainder of the volume.

Various aspects of an issue may be discussed in more than one volume of CWLA's standards and the reader is urged to consult those volumes as appropriate. CWLA's standards series includes volumes addressing services for adoption, child day care, family foster care, family preservation, health care for children in out-of-home care, in-home aides, independent living, pregnant and parenting adolescents, residential group care, and family preservation. Information on obtaining these volumes is available from CWLA at the address listed on the copyright page of this volume.

Differentiation of CWLA Standards of Excellence, COA Standards for Accreditation, and State and Provincial Licensing

CWLA Standards of Excellence

The Child Welfare League of America standards of excellence are intended to be used as ideals or goals for practice in the field of child welfare services. They are intended to provide a vision of what is best for children and their families and as such, encourage the continual strengthening of services. CWLA standards carry no implication of control or regulation. Rather, by bringing together the collective experience of the field to bear upon the work of each organization, they provide a valuable tool for both public and nonprofit agencies.

The standards present practices considered to be most desirable in providing services, regardless of the organization's aus-

pices or setting. CWLA's standards program illustrates one way in which a national organization influences practice throughout North America.

CWLA standards of excellence make it possible to compare what exists with what is considered most desirable for children and their families, and to judge the extent to which current performance approximates or deviates from the most desirable practice. The standards have an educational purpose as well, disseminating what is accepted to be the best current thinking and practice in each child welfare service area.

Since CWLA initiated its standards-setting function, it has continued to revise established standards and to develop new ones as new services emerge. Setting standards involves consultation with national experts and direct service practitioners, a comprehensive review of the literature, and the achievement of professional consensus based on knowledge, experience, and research.

COA Standards for Accreditation

Published by the Council on Accreditation of Services for Families and Children, Inc. (COA), the *Standards for Accreditation* constitute a set of requirements for current agency administration, management, and service delivery. They are rigorous but realistic descriptions of practice standards that a competent provider organization should be able to meet. They establish a system based on measurable criteria, and as such, represent a breakthrough in social service accountability. Although the COA standards are based, in part, on CWLA standards, COA is an independent accrediting body for social service organizations.

State and Provincial Licensing

Through the licensing of child-placement agencies, residential group care facilities, family foster homes, and child day care facilities, states and provinces exercise their police power to protect children from risks against which they would have little or no capacity for self-care and protection. Police power, as

defined by Black's Law Dictionary [§1401], is "the exercise of the sovereign right of the government to promote order, safety, health, morals, and the general welfare within constitutional limits and is an attribute of government using the power of the state to enforce laws for the well-being of its citizens." It is the basis of licensing laws. Licensing requirements provide basic protections by the state or province for the well-being of children and their families.

Introduction

In our society, the care and safety of children are basic responsibilities entrusted first and foremost to the children's parents. Federal, state, and provincial governments further protect the physical and emotional well-being of children by legally mandating that state, provincial, and local public agencies create a system to respond to allegations of harm to children, and to protect children from abuse and neglect at the hands of those responsible for their care. *Keeping children safe from child abuse and neglect is the foundation on which child protective services was established and should always be the first goal of any child protective services response.*

CWLA's *Standards of Excellence for Services for Abused or Neglected Children and Their Families* emphasizes the importance of a community-based approach to protecting children and supporting families. Using such an approach, public and private agencies can collaborate with families and communities to prevent and remedy child maltreatment, and to achieve child safety, child permanency, and child and family well-being.

Historical Highlights

Origins of Child Protection

In 1875, the first Society for the Prevention of Cruelty to Children was established in New York City after the much-publicized case of Mary Ellen Wilson, a young child who was treated brutally by her caregiver. A concerned citizen sought the assistance of Henry Bergh, founder of the American Society for the

Prevention of Cruelty to Animals, as the law at the time offered no protection to abused children. As a result of Bergh's efforts and those of other concerned citizens, legislation was enacted to provide for the protection of children from abuse. This, and legislation subsequently enacted by other states and provinces, established a legal basis for intervening when children were abused or neglected by their caregivers.

In 1899, Illinois created the first Juvenile Court, to "regulate the treatment and control of dependent, neglected, and delinquent children." By 1907, 26 states and the District of Columbia had enacted their own juvenile court laws.[1]

Throughout the 1900s, voluntary and sectarian organizations played an integral part in child protection by providing direct services to children and families and by advocating for the passage of laws to protect children. In 1909, the first White House Conference on Children was convened, reaffirming society's concern for the welfare of children. As a result of the White House Conference, the U.S. Children's Bureau was created to "investigate and report on all matters relating to the welfare of children and child life among all classes of our people."[2] Efforts to protect and assist children were further strengthened in 1935 with the enactment of the Social Security Act, which required public agencies to provide child welfare services to protect children who were neglected, dependent, homeless, or in danger of becoming delinquent.

In 1961, Dr. C. Henry Kempe's identification of the "battered child syndrome"[3] raised awareness of the inherent responsibility of communities to protect their children. This awareness led to efforts by medical and social service professionals to improve the identification and protection of abused children and brought a stronger clinical focus to the treatment of abused and neglected children and their families.

Child Protection Legislation

Kempe's landmark publication was followed in the United States by the passage of a number of federal laws; the states passed or revised their child abuse and neglect laws to provide further protection for children. The federal Child Abuse Prevention and Treatment Act of 1974 (CAPTA), most recently reauthorized in

1996 (P.L. 104–235), established specific reporting and response protocols for states to incorporate into their child protection statutes. Since its enactment, CAPTA has been amended several times to strike a balance between protecting children and preserving the rights and privacy of families. The most recent amendments (1996) emphasized the need for properly trained staff, service provision at the neighborhood level, establishment of citizen review boards, collaboration among public agencies and the community, and expeditious arrangement of permanency in certain situations. The 1996 changes to CAPTA also narrowed the definition of child abuse to "serious" situations, and provided states with more flexibility when sharing information with community partners and the public. Under CAPTA, states must establish time frames for the expungement of unsubstantiated records, create a process for appealing findings of child maltreatment, create citizen review boards, provide immunity from prosecution for individuals making good-faith reports of child abuse and neglect, and establish provisions for the expedited termination of parental rights.

Other federal legislation, such as the Indian Child Welfare Act of 1978 (P.L. 95–608), the Adoption Assistance and Child Welfare Act of 1980 (P.L. 96–272), the Family Preservation and Support Services Program (P.L. 103–66), and, most recently, the Adoption and Safe Families Act of 1997 (P.L. 105–89), emphasizes child safety and well-being and adds some new considerations. These include:

- Requiring greater attention to, and involvement of, the child's family, community, and culture in decisionmaking;
- Achieving permanency for children who are removed from their families because of maltreatment; and
- Providing support and assistance to families to prevent abuse and neglect.

The Child Protection Policy Framework

Certain beliefs and practices have influenced the development, scope, and method of current child protection responses. The first is a fundamental commitment to balancing the rights of

individual citizens with the interests of the general public. Within this context, the child protection system is charged with safeguarding children and holding accountable those who abuse and neglect children. In carrying out these mandates, it must use methods that appropriately respect the privacy of families and protect individual rights.

The second influence on current child protection responses has been the use of a social welfare framework that emphasizes providing resources, supports, and services to protect children, provide for the children's physical and emotional needs, and assist parents in meeting the long-term needs of their children. It requires a dual commitment to child safety and permanency, that is, that efforts be made both to keep children safe and to achieve a permanent family for abused and neglected children.

A third influence on child protection efforts has been the use of a medical model of intervention. This model emphasizes the need for parents to receive treatment for problems that result in a child being abused or neglected.

Finally, emerging community organization and development strategies, which call for the active involvement of communities in the care and protection of children, are influencing child protection responses.

Creating a Balanced and Effective Response

To integrate these and other influences, the child welfare field has periodically shifted its focus. Broadly framed, these shifts represent an effort to balance the need to "investigate" or intervene in specific incidents of maltreatment with the responsibility to be a "helping" agent to the family and to address broad child welfare concerns.

- *Public child protection agencies are being called upon to provide specific criteria for determining when government involvement in family life is warranted to protect children.*

  Communities strongly support child protection intervention when child abuse and neglect have occurred or when parental care does not meet a child's basic safety and well-being needs. Circumstances *not* meeting these criteria are not generally viewed as warranting a mandated response. The general public, however, is also concerned with protecting children who may be *at risk* of abuse or neglect. Thus,

in many communities there is a ongoing debate regarding the mandating of a child protection response in at-risk situations and the extent to which child protective services should be responsible for the prevention of child maltreatment and for broader child well-being concerns. The role of child protective services in child and family well-being should be related to child maltreatment and not a broader focus.

- *Public agencies are being called upon to clarify how decisions to intervene with individual families fit the specified criteria.*

  Over the last decade or more, child protection agencies have borrowed from law enforcement policies to create child abuse and neglect reporting procedures and statutorily based screening criteria. The child abuse and neglect investigations that have resulted are time-limited and typically focus on specific allegations of maltreatment and fact-finding rather than on broad questions of child well-being, community services, and family support. Related case decisionmaking and case planning protocols help agencies establish a rationale for initiating, maintaining, and ending government intervention with families. In addition, communities have come to expect agencies to keep historical information on families to determine patterns of abuse or neglect.

- *Public agencies are being held more accountable for their decisions and their resource expenditures.*

  At a systems level, improvements in accountability are often accomplished through the development of policies by and the formal oversight of legislative committees and legislatively mandated public boards. On a family-specific level, agencies are being held accountable by the courts, by internal administrative review procedures, and by the media. Many agencies have revamped their screening and assessment processes to improve the comprehensiveness and consistency of their decisionmaking.

Responding to Legislative, Practice, and Policy Mandates

In many communities, child welfare agencies are making significant strides in their ability to protect children and assist families:

- Child welfare agencies and the social workers they employ are developing tools to assist staff in determining when child protective services are needed.
- Child protection agencies are helping parents to understand the purpose of child protective services, and the changes the parents must make to meet the needs of their children and to end child protective services involvement.
- Community professionals and service providers are better understanding the role and importance of law enforcement and the courts in the child protection system and are learning to work together to deliver an integrated child protection response.

Efforts to strengthen child protection have also led to numerous child welfare practice innovations. New protocols have been developed to bring greater accuracy to the identification of children in need of protection. Risk-assessment strategies, for example, augment legal criteria for decisionmaking and help social workers identify factors (beyond the reported maltreatment) that may predict the likelihood of future harm and, ultimately, provide a basis for the service response. Agencies are integrating sound social work practice and the legal requirement for minimal intrusiveness into a family's life by establishing a range of interventions, from the least restrictive forms of family involvement to intensive family treatment to out-of-home care services. Agencies also are working with communities to assure timely and accurate reporting of child abuse and neglect and to help communities understand what can be expected from the agency.

At the same time, people are becoming more aware of the problems of child abuse and neglect. In 1972, there were an estimated 60,000 abused or neglected children in the United States. By 1986, with expanded reporting mandates, statewide reporting systems, expanded definitions of abuse and neglect, and increased public awareness, 2.08 million children were reported as abused or neglected.[4] By 1996, the number of children reported to child protection agencies as abused and neglected had grown to 3.1 million, with approximately 30% (969,000) cases substantiated.[5]

Practice, Program, and Policy Issues in Child Protection

Practice Issues

Despite the progress made during the 1970s and 1980s, new concerns continue to arise. Important questions remain unanswered regarding the characteristics of the children and families served by child welfare agencies. Why do children living in poverty and children of color make up a significant portion of agency caseloads? What are the effects of changes in family structure and of the growing number of single and teen parent families being served?

Supports for families in such areas as child care, housing, and health care continue to be insufficient, creating additional stresses for families with children. The problems confronting children and families—economic instability, substance abuse, domestic violence, and juvenile crime—have become increasingly prevalent, complicating the ability of agencies to protect children and support families.

Poverty and Unemployment

Child protection agencies know that economic well-being is an important factor in child safety. Since 1970, childhood poverty has increased by nearly 36%. In 1996, nearly 15 million children were living in poverty, accounting for 40% of the 36.5 million poor Americans.[6] The Third National Incidence Study of Child Abuse and Neglect uncovered significant differences in the incidence of maltreatment relative to family income, finding that 47% of children with demonstrable harm from abuse or neglect and 95.9% of endangered children came from families whose income was less than $15,000 per year.[7]

The stress created by living in poverty may play an important role in child abuse and neglect.[8] Parents who experience prolonged frustration in trying to meet their family's basic needs may be less able to cope with even normal childhood behavior problems. Those parents who lack social support in times of financial hardship may be particularly vulnerable.[9] Parents who are experiencing problems with employment are frequently rated by child protective services staff as being at moderate to high risk of child maltreatment.[10]

Family Structure

Related to the issue of poverty are changes in family structure. In 1970, about 12% of children in the United States lived in a single-parent family (usually with their mother). By 1996, only 71.6% of all American children—and only 38.7% percent of African American children—were living with two parents.[11] The primary reasons for single parenthood are divorce, separation, and an increase in out-of-wedlock births (many involving teenage parents). Often, the vulnerability of single parent families is compounded by a lack of financial support, inadequate access to affordable health care and child care, and unsupportive or conflictual relationships between custodial and noncustodial parents.

Substance abuse, incarceration of custodial parents, and other factors are affecting the ability of young families to care for their children. Increasingly, grandparents and other kin are stepping in to provide ongoing care, and approximately 30% of children in out-of-home care are living with relatives.[12] The huge growth in kinship care in some jurisdictions has challenged practitioners to rethink and reshape service delivery approaches so they can better address the needs of children and families in kinship care situations.

Finally, the increased mobility of families has created social isolation, leaving parents without familial, emotional, or physical supports to sustain and support them through periods of crisis.

Although the social and economic factors that have contributed to changes in family structure are complex, their effect on the welfare of children is clear—more children are living in poverty and more parents are without the social supports they need to raise their children adequately.

Children and Families of Color

Although data are limited, research indicates that children of color may be more likely to be reported to child protection authorities than other children—even those in otherwise comparable circumstances.[13] The Third National Incidence Study of Child Abuse and Neglect[14] found no significant or marginal race differences in the incidence of maltreatment, yet children of color are overrepresented in the child welfare system. Children of color are the subject of about 30% of substantiated child abuse and neglect reports and comprise about 44% of the out-of-home

care population, significantly higher than their representation of 15% in the general population.[15] Child protection leaders are recognizing that understanding and addressing the concerns of children and families of color are essential to providing effective child protective services.

Substance Abuse

Alcohol and other drug abuse in families has had a devastating impact on children. Although parental substance abuse has been a factor in child abuse and neglect cases for some time, the spread of crack cocaine, amphetamines, and other illegal drugs, in combination with the abuse of alcohol, is compelling agencies to look at child welfare practice and policy in new ways.

Identifying families who are chemically involved and assessing their drug involvement and its impact on parenting are critical steps in determining the risk of maltreatment for children. To that end, many states are redefining their reporting criteria, and prescribing procedures for investigating and substantiating substance abuse cases. These changes stir controversy, and professionals, policymakers, and communities are struggling to integrate practice and legal frameworks for children in chemically involved families. Accessible and affordable treatment options for families are often in short supply, and even when available, time frames for effective treatment may be inconsistent with the permanency needs of children. Collaboration among professionals from a variety of disciplines is needed to establish appropriate assessment, treatment, and legal strategies for families affected by substance abuse.

Domestic Violence

Several states have begun documenting the presence of domestic violence in child welfare-involved families. Their findings support researchers' estimates that in at least half of families where there is child abuse, there is also domestic violence.[16] Further, two states have documented domestic abuse in 41% to 43% of cases involving child abuse-related deaths or serious life-threatening injuries.[17] Not only is the presence of domestic violence a significant factor in parental functioning, it also may be correlated with the likelihood of child maltreatment and seriously affect the emotional well-being of the child.

Child welfare agencies have begun to consider the need for new and more effective approaches to child safety when a parent is also a victim of violence in the home. New models that suc-

cessfully focus on interventions that protect children by helping the mother to protect herself *and* her children have dramatically changed the way child protective services workers deal with family violence. Replication of these models and the development of other approaches require that child protection agencies collaborate with domestic violence programs to develop policies and training on screening, assessment, confidentiality, intervention, and referral for families involved in domestic violence. In addition, direct service staff will need specialized training to competently identify domestic violence and to intervene once domestic violence is identified.

Juvenile Delinquency

Although the majority of victims of childhood maltreatment become healthy and productive adults, a sizable number do not. In 1992, the National Institute of Justice concluded that experiencing childhood abuse and neglect increased the likelihood of arrest as a juvenile by 53%, of arrest as an adult by 38%, and of committing a violent crime by 38%. Studies in several local communities confirm these findings,[18] suggesting the need to examine more closely the long-term impact of all forms of maltreatment on children.

Improving long-term outcomes for children will require stepped-up efforts by child protective services and community partners to identify high-risk youths, provide treatment services to them and to their parents, and strengthen links between child abuse prevention and treatment and juvenile delinquency prevention. These efforts must be undertaken despite rising public sentiment that appears to favor a "tougher" stance on juvenile delinquency.

Program Issues

In addition to the practice issues identified above, child protection agencies face programmatic challenges in their attempts to assist families and protect children. These include:

- *The cumulative effects of ongoing child abuse or neglect.* Agencies are struggling with addressing chronic neglect in the context of legal and service systems that more readily respond to imminent risk and with achieving lasting improvements in functioning for parents and children.

- *The need to work with families who are homeless and/or transient.* Many families move from state to state, complicating the sharing of information and continuity of services.
- *The increase in legal actions against agencies.* Lawsuits filed against agencies have resulted in court orders or consent decrees affecting service delivery and resource allocation.
- *The difficulty of assessing reports made in the context of divorce/custody disputes.* Although most child custody cases do not require a child protective services response, many families could benefit from services during such difficult family transitions.
- *The privatization of child protection and behavioral health care services.* Child protection agencies will need to assure that there are sufficient trained and competent staff to monitor the quality and array of services delivered and assure that the individual needs of children and families are met.

Policy Issues

Welfare Reform

In 1996, the federal government passed sweeping welfare reform legislation, replacing the federal guarantee of cash assistance to certain families living below the poverty line (Aid to Families with Dependent Children or AFDC) with block grants to the states (Temporary Assistance to Needy Families or TANF). Although many states had already been making changes to their public assistance programs, this legislation forced states to implement a variety of new eligibility requirements, including limits on lifetime eligibility and teen-parent benefits, and new mandates for work and job training. Under the new welfare program, the Supplemental Security Income program for children with disabilities has also become more restrictive.

The states have been given a large number of policy options to choose from in implementing welfare reform. Until these changes actually take place and are analyzed, however, it will be difficult to determine the impact of welfare reform on children and families. Whatever the eventual impact, child protection agencies will need to document how children and families are affected and to advocate for the resources necessary to meet their needs.

Family Preservation and Child Safety

Public debate often centers around the goals of family preservation and child safety, questioning whether child welfare agencies, in their efforts to prevent placement and reunify children with their families, are ignoring or minimizing the safety needs of the children. In part, the difficulty stems from broader systemic problems, including workers who have not been properly trained and supervised to make such decisions, large caseloads, inadequate funding, and insufficient services to address complex family problems such as substance abuse and domestic violence.

In addition, there is confusion regarding what is meant by family preservation and how it can best be pursued on an individual family basis. The term *family preservation* is used interchangeably to describe either a philosophy, a policy, or a program—or all three collectively. Taken out of context or misinterpreted, family preservation may be seen as dichotomous to child safety. The challenge for the child welfare field is to help workers, other professionals, and the broader public understand that by working with families, we are most likely to achieve safe and permanent outcomes for children—either with their families, with kin, or as part of another permanent family established through adoption or guardianship.

Current Challenges to Child Protection

Although reports of child maltreatment are becoming increasingly common and serious, response capacity in most jurisdictions has failed to keep pace. As a result, few agencies meet recommended national standards for staff and caseload ratios. One agency, for example, reported a 58% increase in the number of children reported between 1991 and 1995; its social work staff, however, increased by only 14%.[19]

Pressure to manage the overwhelming demand for services while ensuring child safety has led to new methods and new problems. By adapting triaging methodologies from other emergency response systems, some agencies have established criteria for prioritizing their responses to new reports of abuse and neglect. Under these policies, children who are believed to be in immi-

nent danger and those at greatest risk of further harm receive an immediate response. Reports that are judged to be less serious may receive a delayed response, or in some states, no response. Use of these protocols, however, may have unintended consequences.

As the number of child abuse and neglect reports increases, and children's circumstances worsen, legitimate triaging methods have sometimes become a vehicle for controlling the influx of new cases. These triaging practices contribute to a growing sense that even children in serious situations are not receiving the assistance they need. In some instances, this impression may be born out when reports that were first believed to be low risk are found to be quite serious once a more thorough assessment is completed. Even in situations where imminent risk of harm is low, current intake methodologies may not adequately recognize and respond to the harm that can accumulate from multiple incidents of neglect, which, if only viewed as isolated events, do not appear to impact the safety of children.

The impact of caseload growth and limited resources on children is also evident once assessments are completed. For example, a significant number of reports do not result in a finding of abuse or neglect. Nonetheless, many reported families have risk and well-being issues that need to be addressed. Child protective services systems are being challenged to put in place a range of community services and supports to which they can refer families so that future harm can be prevented.

Among children for whom abuse and neglect is substantiated, as many as 30% do not routinely receive services following the initial assessment.[20] Although this may be the result of underfunded programs, high rates of re-abuse of children already known to child protective services have raised significant doubts about the adequacy of services provided to these children and their families. Consequently, some have come to believe that the child protection system is not adequately protecting children[21] and some jurisdictions are considering policies that would place the investigation of child abuse in the hands of law enforcement. Others believe that too many families have been the subject of unwarranted government intrusion.[22] Child protection agencies are being asked once again to redefine the framework for mandated intervention, to establish

practices that lead to sound case decisionmaking within this framework, and to find better ways of being accountable for their decisions.

A New Framework for Child Protection

States and provinces must look beyond the formal child protective services institutions and engage communities and neighborhoods in protecting children. In 1993, the U.S. Advisory Board on Child Abuse and Neglect called for a neighborhood-based child protection strategy in which:

- Primary strategies would be focused at the level of urban and suburban neighborhoods and rural communities;
- Social and economic supports for troubled families and children would be developed at the neighborhood level, with *neighborhoods* defined by geographic boundaries; and
- Both formal and informal services that are based on the principle of voluntary help by one citizen for another would be widely available, regardless of whether access to such services is determined by place of residence.[23]

Improving Child Protection

The public interest in the protection of children means that agencies must continuously examine the successes and failures of their current methods and devise new and more effective approaches. Typically, this has meant making renewed efforts to implement best practices proven to protect children and strengthen families. With the unchecked growth in the number of reports and substantiated cases of maltreatment of children, consideration of more fundamental changes in the overall approach to protecting children is warranted.

Nationwide, community leaders, child protection professionals, and other citizens are coming together to reexamine both the central purposes of child protective services and the assumptions that are inherent in the child protection system's design and methods. At federal, state, provincial, and local levels, they are reconsidering:

- Federal and state statutes guiding the protection of children;

- Definitions of safety in the context of child abuse and neglect and the need to clearly articulate safety factors within the family as well as within society;
- The range and purpose of intervention strategies employed by mandated child protection agencies and by the community as a whole;
- How services to protect children can best be organized; and
- The fiscal and administrative supports needed to ensure that efforts to help children reflect best practice principles and lead to intended child and family outcomes.

Core Values, Principles, and Elements of an Effective Response to Child Protection

Government agencies are formally charged with protecting abused or neglected children from further harm, but individual citizens and community entities are an essential part of successful efforts to care for and protect children.

Values

The following values are central to establishing a successful community response to child protection:

- Every child has a right to adequate care and supervision and to be free from abuse, neglect, and exploitation.
- Every child should have a safe, permanent family.
- Parents have the primary responsibility for, and are the primary resource for, their children.
- Every child's family, however family is defined, is unique and has value, worth, integrity, and dignity.
- The most desirable place for children to grow up is in their own caring families, when those families are able to provide safe and nurturing relationships intended to last a lifetime.
- Most parents want to and can be adequate parents.
- Most parents who experience difficulty in parenting can be helped to be adequate parents. Appropriate services must be available to assist them in accomplishing needed changes.
- When parents cannot or will not fulfill their protective responsibilities, the community has the right and obligation to intervene directly on the child's behalf.

Principles

Principles guiding the establishment of a community response to child protection include:

- The first goal of child welfare intervention by state and community agencies must be to assure the welfare and safety of children.
- It is in the best interest of communities to make available to parents the necessary services, resources, and supports that will strengthen their capacity to carry out their parental obligations to their children.
- Communities and child welfare agencies have a responsibility to prevent child abuse and neglect by educating the public about their effect and by allocating the necessary resources to child abuse prevention efforts.
- The child protection system must be able to correctly identify those children and families in need of protection, and tailor a response to meet their safety and service needs.
- Services and supports must be respectful of and responsive to cultural differences, and must build on the strengths and protective factors within families and communities.
- Families served through the child protective services system should clearly understand what familial outcomes are expected of them and whether their acceptance of service is voluntary or is court ordered to protect the child.
- An aggressive and comprehensive public response is needed when there is harm to a child caused by physical abuse, sexual abuse, or chronic neglect.
- Public officials, business and community leaders, and citizens must be informed so that they understand the needs of abused and neglected children, participate in their community's child protection system, form new partnerships, and influence the public policy agenda related to child protection.
- Agencies must have competent staff who are skilled in working with children and families and in forming strong working relationships with professionals and others in the community who can be a resource for families.

- Action taken and services provided by child protection agencies should be based on expected outcomes. Data must be collected and analyzed to determine if these outcomes are being achieved.

Elements

A community response that incorporates the above values and principles should include the following core activities:

- Defining the community (i.e., Who makes up the community? What are its boundaries? Who are its leaders?);
- Developing a comprehensive community strategy for child protection, including public and private action strategies (these strategies should be adopted by all the partners);
- Identifying and engaging partners who traditionally have not been involved (or have not been seen as involved) in child protection;
- Developing a relationship with the community and working with natural community leaders;
- Clarifying the scope of child protective services and the roles played by the child protection agency and community partners;
- Building an understanding that child protection is a community responsibility and not solely the responsibility of the public child protection agency;
- Making services and supports—both formal and informal—available, so that at-risk families can be identified early and diverted from formal child protection intervention; and
- Establishing a leadership role for the public child protection agency, facilitating the development of needed services and supports, and helping to create a community capacity to respond to abuse and neglect reports and meet the individual needs of children and families.

Scope of These Standards

Consistent with the purpose of CWLA's standard-setting function, these *Standards of Excellence for Services for Abused or*

Neglected Children and Their Families set forth goals for practice that are intended to guide the continual improvement of child protective services. As such, the standards put forth those practices that are considered optimal in achieving child protection goals, based on the expertise of leaders in the field and on the current literature and research.

Because child protection is not a single service but a complex array of casework, legal, and related interventions, the CWLA standards also outline the broad characteristics of an effective system of service delivery. Further, they are consistent with and supportive of those practices that are intended to ameliorate the conditions that contribute to abuse and neglect, and those practices that minimize the physical, emotional, and developmental impact of abuse and neglect on the children who are its victims.

Despite this broad and inclusive framework, these standards are primarily aimed at the mandated child protection agency, both in its role as a provider of services and in its role as a leader in the development of an effective community-based system of child protection. If the designated child protection agency contracts with or delegates its responsibilities to private or other public agencies, however, then those organizations should also adopt these standards.

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Protective Services for Abused or Neglected Children and Their Families

Goals

I. The child protection agency achieves safe, permanent families for all children who have been brought to its attention agency and who have been abused or neglected or who are at risk of abuse or neglect.

II. The child protection agency provides a full range of services that are child-centered, family-focused, and culturally responsive.

III. The child protection agency assists families in making lasting supportive connections in the community.

IV. The child protection agency promotes and facilitates community collaborations that protect children from abuse and neglect and that support families.

V. The child protection agency develops and strengthens policies, procedures, skills, and knowledge that result in sound child protection decisionmaking.

VI. The child protection agency engages formal and informal community partners in the ongoing protection of children referred to it and in the support of their families.

1.1 Purpose of Child Protective Services

The child protection agency* should discharge society's responsibility, under state or provincial law, to protect children whose parents** are unable or unwilling to provide for their safety and emotional security, in a child-centered and family-focused manner, and in collaboration with the community in which the family lives.

The overriding goal of child protective services is to achieve a safe, permanent home for all children who have been abused or neglected.

In its assessment of families, the child protection agency should focus on the children's safety, risk, and optimally, well-being.

Child protection agencies should not be expected to provide services related to well-being unless there are child abuse or neglect concerns. If the parents express concerns about the well-being of the child during the course of the assessment, however, the agency should assist them in identifying and accessing services and supports.

A child protective services intervention in behalf of a child should assist the parents in recognizing and remedying the conditions that are or may be harmful to the child, and in fulfilling their parenting role. If the child cannot be made safe in the home through the provision of appropriate services, the agency should initiate a petition, preferably with parental cooperation, to seek a court order to obtain the removal of those individuals from the home who are placing

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* The term *child protection agency* is used throughout this volume to represent the state and local agencies legally charged with protecting children and serving families. Except where specified, it does not include law enforcement or organizations mandated to report child abuse or neglect.

** The term *parent* is used throughout this volume to represent parents as well as other individuals who may be the caregivers or guardians of a child.

the child at risk, if such action will result in the child being safe, or to place the child in out-of-home care.

The child protection agency should identify and advocate for strategies to overcome conditions in the community that contribute to or fail to avert the abuse or neglect of children. The agency should provide leadership within the community to build an effective, community-based system of child protection.

1.2 Characteristics of Child Protective Services

The child protection agency should recognize the characteristics of child protective services that differentiate it from other child welfare services and should reflect those characteristics in its policies, practices, and programs.

Several characteristics differentiate child protective services from other child welfare services.

- The request or referral for child protective services, and the need for agency-initiated services ordinarily comes in the form of a report of suspected abuse or neglect from someone other than the parents.
- The agency is mandated by state, provincial, and local laws to take some action as a result of the report.
- The parents may be unaware of what is happening to their child, or may be unable or unwilling to ask for or use help, though they may recognize that they need assistance. The family's first knowledge of the report may come when the parents or others responsible for the child are contacted by the agency.
- In the majority of instances, the agency identifies and initiates service because the parents or others responsible for the child do not request or voluntarily accept the help they and the child may need.
- The child protection agency may need to involve law enforcement in its assessment and the prosecutor and/or court in the protection of the child. (4.1)

Although the terms *assessment* and *investigation* have been used interchangeably in many states and provinces, *investigation* encompasses the efforts of the child protection agency to determine if abuse or neglect has occurred. *As-*

sessment goes beyond this concept and includes an evaluation of the child's safety and risk, and a determination of whether and what services are needed to ameliorate or prevent child abuse and neglect.

1.3 Families for Whom a Child Protective Services Intervention is Appropriate

Child protective services should be provided for those children whose parents or other persons responsible for their care are unwilling or unable to provide the protection they require, and whose condition or situation shows demonstrable harm or the likelihood of harm.

State or provincial laws provide legal definitions of the reportable forms of child maltreatment and guidance as to when a finding of abuse or neglect is appropriate.

In general, children need protection from the following forms of maltreatment.*

Physical Abuse: Physical acts by parents or other caregivers that cause, or could have caused, physical injury to the child.

Neglect: Failure of parents or other caregivers, for reasons not solely due to poverty, to provide the child with needed, age-appropriate care, including food, clothing, shelter, protection from harm, supervision appropriate to the child's development, hygiene, education, and medical care.

Sexual Abuse: Sexual activity by a parent or other caregiver with a child, including, but not limited to, any kind of sexual contact through persuasion, physical force, or other coercive means; exploitation through sexual activity that is allowed, encouraged, or coerced; and child prostitution or pornography.

Emotional Maltreatment: Parental or other caregiver acts or omission, such as rejecting, terrorizing, berating, ignoring or isolating a child, that cause, or are likely to cause, serious impairment of the physical, social, mental, or emotional capacities of the child.

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* These definitions are general; each state or province may define them somewhat differently.

Services should be provided to children who are identified as at risk of abuse or neglect, as well as to those who are determined to have been abused or neglected. The child protection agency should work within the community to divert at-risk families to community-based services without initiating formal child protective services for the family.

The child protection agency may receive referrals from the community involving families where there is not an identified risk of abuse or neglect, but there are other child well-being issues. These families are not appropriate for child protective services, but because their problems may worsen if left unattended, the agency should formalize a process, in cooperation with its community partners, that results in the referral and connection of such families to community services and supports.

Roles and Responsibilities in Child Protection

1.4 Parents and Families

The child protection agency should recognize and respect the primary responsibility of parents and families to ensure that their children are protected from abuse, neglect, and exploitation both within the family and in facilities that care for the children. (3.2, 6.10)

Parents are responsible for:

- Providing adequate care and supervision of their children;
- Learning and applying consistent, appropriate and nonpunitive disciplinary techniques;
- Seeking support from family, friends and the community, whenever appropriate, in protecting their children; and
- When necessary, participating in the development, implementation, and completion of a treatment plan for their child and family that will result in long-term safety and reduction of the risk of future abuse or neglect.

Parents should involve themselves in the activities of the community to prevent child abuse and neglect.

The parents' willingness and ability to report their observations to the appropriate agency will largely determine whether intervention or treatment occurs. Parents are often in the best position to recognize and identify signs of possible child abuse and neglect. They should:

- Be aware of and sensitive to the signs of possible child abuse and neglect;
- Take the steps necessary to mitigate any harm that the child may have suffered;
- Initiate action to protect their child by filing a report of suspected child abuse or neglect with the appropriate agency, or discuss their concerns with an individual who will file the report;
- Involve themselves in a constructive way in the activities of agencies serving their children;
- Support the child during the process of evaluating the allegations, including cooperating with the appropriate authorities during the investigative process; and
- Participate in the development, implementation, and completion of any necessary treatment plan for the child who has been abused or neglected in an out-of-home setting.

1.5 Informal Community Supports

The child protection agency should seek out and encourage the involvement of family members, friends, neighbors, neighborhood businesses, civic and housing groups, the faith community, and other community members, particularly health and education service providers, in providing support to children and families. (2.9)

Historically, the child protection system has had difficulty engaging the many informal supports in neighborhoods that can help keep children safe.

Informal sources of community support can assist the child protection agency in keeping children safe by:

- When aware of children in the community who are at risk of abuse of neglect, encouraging the parents of those children to seek supports and services;

- Reporting to the appropriate authorities when they suspect that a child is being abused or neglected;
- Working with other community members, especially parents, to design or refine a community strategy for child protection; and
- Providing support, opportunities, and assistance to at-risk children and families, especially those with whom they have an established relationship.

1.6 Community Agencies and Organizations Serving Children and Families

Child protection agencies should encourage community organizations that serve children and families to participate in the community and to galvanize the support of parents, professionals, and others within the community to pursue a comprehensive agenda for child protection and for child abuse and neglect prevention. (3.3)

Protecting children is a community responsibility that cannot be delegated to any one organization.

Community organizations that serve children and families have historically played an integral role in child abuse prevention and in fostering child well-being. They should be encouraged as well to participate in developing a community partnership to protect children who are abused or neglected.

Schools, health care and mental health care providers, child care agencies, social and religious organizations, law enforcement agencies, and other community organizations should:

- Train staff members in the identification of risk factors and indicators of child abuse and neglect;
- Assure that they have written protocols for reporting child abuse and neglect to the appropriate authorities and that they evaluate the effectiveness of those protocols on a regular basis;
- Work with the public child protection agency once a report is made to assess the safety of the child and implement a safety plan;

- If there is a written agreement or contract, assist the child protection agency, law enforcement, and other appropriate agencies in the formal assessment of a report;
- Provide treatment services to children and families and develop written agreements with the child protection agency regarding the treatment of children and their families;
- Employ staff who are appreciative of cultural diversity within the community and who are responsive to the cultural, ethnic, and religious differences that may affect interactions with the delivery of services to abused and neglected children and their families; and
- Regularly define and analyze their achievement of family-specific and system-related outcomes.

1.7 The Mandated Child Protection Agency

Child protection agencies should assess allegations of child abuse and neglect, treat abused and neglected children and their families, and fulfill the responsibilities and duties mandated to them by state, provincial, or local law.

In most jurisdictions, the child protection agency is given (or through policy has established) the responsibility for:

- Receiving all reports of alleged child abuse and neglect and conducting an assessment of those reports;
- If a report is not appropriate for assessment, having policies in place that will assist the reporter or family in identifying services that may be appropriate for the child and family;
- Determining if abuse or neglect exists or has occurred and, if so, the level of harm to the child;
- Determining whether the family needs child protective services or other community services;
- Determining the capacity and ability of the family to accept and make use of assistance designed to assure the safety of the child and reduce risk;

- Determining the level of intervention and types of service needed to protect the child and support the family's efforts to safely care for the child;
- Working with the family and the community to assure that needed services are provided;
- Determining when and if court intervention is needed to protect the child, and to file petitions as required;
- Providing services that are culturally responsive; and
- Regularly defining and analyzing the achievement of family-specific and system-related outcomes.

At the community level, the child protection agency should:

- Engage parents and the community in the development of agency policies on the assessment of families and the delivery of services to them;
- Provide leadership and work within the community as an active participant in the development of a community approach to child protection;
- Advocate for legislative changes and funding necessary for child abuse prevention and protection;
- Assure that other programs and policies within (or funded by) the agency are consistent with the goals and objectives of child protection, child permanency, and family and child well-being.

Reporting Suspected Incidents of Child Abuse and Neglect

In most states or provinces, reports of alleged child abuse or neglect emanate from two sources: (1) professionals mandated by law to report, and (2) private citizens voluntarily reporting. States and provinces have established by law those persons who must report suspected child abuse and neglect to the designated child protection agency. Although requirements vary by state, in general, medical personnel, mental health professionals, law enforcement officials, educators, child care providers, social workers, and others who provide care or services to children are required to report suspected child abuse and neglect.

1.8 Reports Requiring a Public Agency Response

The designated child protection agency should clearly define reportable conditions and ages of children, and what reports it will accept for assessment.

At a minimum, the agency should accept reports that meet the following criteria:

- The report involves a child under the age of 18.
- The person alleged to have abused or neglected the child is the child's parent, caregiver, or other person responsible for the child's care, custody, and control.
- There is an allegation that action or inaction on the part of the person responsible for the child has or may impact the health and safety of the child.
- The report meets the statutory definition of possible abuse or neglect.
- There is sufficient information for the agency to identify and locate the child.

The child protection agency should accept reports from private citizens and should give those reports the same priority as those made by mandated reporters.

The child protection agency should accept anonymous reports, although it should encourage anonymous reporters to disclose their identity.

The child protection agency should keep the identity of the reporter strictly confidential and not disclose it except as required by law.

1.9 Reports Best Served by a Community Response

The child protection agency should establish policies for and examples of reports that do not warrant child protective services assessment and should have a procedure in place for referring those children and families to the community for services and support.

All reports of child abuse and neglect require some form of response to determine if the child is safe. Generally, the

response will be initiated by the child protection agency or another agency designated by the child protection agency or by state/provincial law to act in its behalf.

Referrals to the child protection agency that do not rise to the level of a child protection assessment may still require some action on the part of the community. If it is decided that the referral does not rise to the level of an abuse or neglect referral, but some other service need is evident, the child protection agency should recommend to the reporter a plan of action that will meet the need presented or assist in referring the family to a more appropriate resource, and document that plan of action.

Reports that may best be served outside formal child protective services include, but are not limited to, the following:

- A child is suicidal.
- A family is homeless, but is currently meeting the other basic needs of its children.
- The reporter has concerns about substance abuse by a parent but does not have specific concerns related to child abuse or neglect.
- Domestic violence has occurred but the child is not reported to be an observer of the domestic violence *and* has not been harmed.
- The custodial parent is incarcerated for an offense not related to child abuse and the child is voluntarily placed with a relative or other kin.
- The child has been harmed by someone who is not a household member and who is not responsible for the child's care.

The child protection agency should develop agreements with schools, military bases, substance abuse treatment programs, domestic violence programs, tribal authorities and organizations, hospitals, community organizations, and other appropriate social service agencies to assist reporters in these circumstances and to foster preventive and outreach activities for children and families in need of assistance.

1.10 Reports Not Needing or Allowing for an Agency Response

The child protection agency should educate mandated reporters and private citizens to ensure that the reports they make are as accurate and responsible as possible.

The child protection agency may receive referrals that require no further action by the agency or, because of insufficient information, cannot be accepted for assessment. The reporter should be informed as to the reasons why the report is inappropriate or cannot be accepted and encouraged to call again if (s)he obtains additional information.

1.11 Malicious Reports

The child protection agency should establish policies for identifying, tracking, responding to, and otherwise handling malicious reports

A public concern in child abuse reporting is the rare use of the reporting system to maliciously attack another person. The agency should have a written agreement with appropriate law enforcement agencies and the office of the prosecutor as to how each will respond to such reports. The child protection agency should also educate the public about the actual frequency with which malicious reports are received and the difference between malicious reports and reports where there is insufficient evidence to substantiate child abuse or neglect.

Roles and Responsibilities of the Mandated Child Protection Agency

In addition to the designated child protection agency, three other entities are involved by statute in the assessment and adjudication of a report of child abuse and neglect: law enforcement agencies, the judicial system, and attorneys for the state. (4.1, 4.2, 4.4)

Law enforcement agencies are primarily responsible for identifying and reporting child abuse and neglect that has not yet been brought to the attention of the child

protection agency, conducting investigations of reports of child abuse and neglect where there may be a criminal violation, determining if the alleged offender should be referred for prosecution, and providing protection for the child, family members, and child protection agency staff, if necessary.

The judicial system's primary responsibility depends on whether the adjudicatory proceeding is a criminal or civil matter. In a criminal proceeding, the court must determine if the defendant committed a criminal offense, and, if so, must arrive at a sentence for that offense. In a civil proceeding, the court's responsibility is similar to that in a criminal hearing—the court must determine if the allegations of abuse and neglect are true, and if so, assess an appropriate course of action. The two primary civil proceedings involving child protection are juvenile protection hearings and domestic relations hearings. In some court systems these hearings may be held by the same judge.

- In a juvenile hearing, the court may initially issue an emergency protective order to assure the child's safety. Subsequent hearings will be held to determine the long-term safety and placement needs of the child. Juvenile court proceedings are focused more on the protection of the child rather than on the adjudication of the offender.
- In a domestic relations hearing, the court determines which parent will receive custody of the child, or whether to award joint custody. An ex-parte hearing may also be held in civil court to determine the need for a child protection order to remove an individual from the environment of the child.

Attorneys for the state (county attorneys and prosecutors) represent the state in protecting children. In a criminal hearing, they act as prosecutors and present evidence to show that a crime has occurred and to determine who is responsible. In a civil juvenile proceeding, they may represent the child protection agency and present evidence to help the court determine if a child needs protection.

This chapter primarily address the roles and responsibilities of the child protection agency. Chapter 4 addresses, in more detail, the roles and responsibilities of law enforcement agencies and the legal system.

1.12 Receiving and Screening Reports of Child Abuse and Neglect

The child protection agency receiving a report should assess the nature of the report, evaluate the credibility of the report, and explain to the reporter the agency's statutory responsibility, its services, and the available resources that could be used in responding. At all times, respect for parents as people, even if they have abused or neglected their children, should be conveyed to those providing information.

The provision of child protective services begins when a report of neglect or abuse is brought to the attention of the agency. In some communities, law enforcement and other designated community partners may be involved in receiving, screening, and assigning reports for assessment. Policies related to the acceptance of reports should be standardized across jurisdictions within the state or province, and detailed in writing.

Staff members receiving reports should possess the highest possible professional skills by virtue of training (preservice and inservice), education, and experience. The agency's initial professional response is critical to the child and the family, and to the reporter's perception of the agency.

The agency should clearly define and interpret its mandates and services in writing to the reporter. The reporter should, at the time the report is made, be given the opportunity to explain his/her concerns and why a response from the agency is warranted.

The reporter should be informed regarding the decision and reasons to accept or not accept a report. If the report is accepted, the reporter should be told what to expect during the assessment. If the report will not be accepted, or the response will be something other than a formal assessment, the reasons should be clearly explained to the reporter. The reporter should be given an opportunity to discuss any concerns regarding the decision with supervisory personnel.

If the report is accepted, staff assigned to screen the report should immediately transmit the report to the social worker who will conduct the assessment.

1.13 Assignment of and Initial Response to Reports Accepted for Further Assessment

A child protective services response should be available on a 24-hour-a-day, seven-day-a-week basis. The child protection agency should develop and use standardized criteria for determining the most appropriate response to reports of abuse or neglect.

No child in danger should have to wait for services.

If reports are received at a central location, an immediate transmission of the reports to the appropriate office should occur, especially if the report is deemed an emergency.

The child protection agency should establish policies regarding the assignment of the report for assessment and time frames for initiation of the assessment. The child protection agency's primary concern should be to establish whether the child is safe, pending a face-to-face contact by the agency or another professional trained in assessing safety.

If the reported abuse is particularly severe or complex, or it appears that the involvement of the criminal justice system may be necessary, then staff conferences or multidisciplinary teams should be used to conduct a co-investigation.

Formal interagency agreements should be established that outline the roles and responsibilities of the multidisciplinary team members, as well as service delivery arrangements, to minimize duplication of effort and out of sensitivity to the child and family. Such agreements should include a recognition that the immediate safety of the child takes precedence over any multidisciplinary team contact with the child or family.

If a report of child abuse or neglect is not accepted for assessment, and another response (such as an offer of volun-

tary services to the family) is warranted and will be taken by the agency, then the staff should advise the reporter how and when the agency will approach the family.

1.14 Initial Assessment Process

The child protection agency should conduct a comprehensive assessment to determine the child's safety as well as the risk of abuse or neglect.

To conduct a comprehensive assessment and determine the child's safety and risk, the social worker should, at a minimum:

- Interview the reporter;
- Interview the child;
- Interview the child's siblings;
- Interview the parents (both custodial and, if appropriate, noncustodial);
- Interview the person suspected of being responsible for the alleged abuse or neglect;
- Observe the home, neighborhood, and environment in which the child lives;
- Observe the interactions between the family members, as well as the response of the child to the person suspected of being responsible for the alleged abuse or neglect;
- Gather information (verbal, written, and physical) from individuals who are familiar with the family and who may be aware of possible child abuse or neglect, as well as any prior incidents of child abuse or neglect; and
- Analyze the information collected to reach a conclusion as to the child's safety and risk, the child's and family's strengths and services needs, and the validity of the abuse or neglect report.

Child protective services staff should strive to minimize the potential negative effects of an assessment on the child and the family.

1.15 Assessing and Planning for the Child's Immediate Safety

The child protection agency's initial collection of information and subsequent contact with the child should include an assessment of the child's immediate safety and a plan to address all safety concerns.

A child is defined as "safe" if an analysis of all available information leads to the conclusion that the child, in the current living arrangement, is not in imminent danger and that no safety interventions are needed. (1.22)

The determination as to whether a child is safe in his or her current living arrangement should be done in conjunction with the assessment of the child's future risk of abuse and neglect. Staff must be able to differentiate between those risk factors that require immediate action to keep a child safe and those risk factors that require behavioral changes on the part of the parent to prevent future abuse or neglect.

Because of the nature of child protective services, and the potential of further harm to the child during the assessment process, the child protection agency may need to provide constant monitoring and immediate support to the family, to assure adequate protection of the child.

The child protection agency should encourage the use of family supports, including in-home parent aides, respite care, family preservation services, and removal of the individual whose presence causes the child to be unsafe, with out-of-home placement of the child used only when other supports and services are unavailable or insufficient to ensure the child's safety.

The agency should have an array of services and informal supports identified that can be used during this period.

Assessing the Child's Safety at the Receipt of the Report

Child protection agency staff members who receive a child abuse or neglect report should question the reporter and gather sufficient information to assess whether an immediate child protective services response is needed to deter-

mine if the child is safe. Information should be solicited concerning:

- the child's location;
- the child's age (both chronological and developmental);
- access to the child by the person suspected of being responsible for the alleged maltreatment;
- the seriousness of the allegation;
- the location of the child's parent(s) (and if they are thought to be responsible for the maltreatment); and
- the physical, emotional, and mental ability of the child's parent(s) to assure the child's safety prior to the initial contact by the agency.

If the information gathered indicates that the child is unsafe, immediate steps should be taken for a professional to make face-to-face contact with the child. The professional should have the expertise and authority to put into place a safety plan for the child.

The information obtained should be used by staff to determine whether law enforcement should be involved in the worker's initial contact with the child or family.

Assessing the Child's Safety at the Initial Contact with the Child or Family

The child protection agency should have in place policies, procedures, and assessment tools to assist its staff members who have initial contact with the child and family in determining if the child is safe.

Staff should see and interview the child as part of the assessment of the child's safety.

Staff should be trained to recognize the distinction between immediate safety concerns and long-term risk factors.

Child protection agency staff members who determine that a child is unsafe should implement a safety plan, including, but not limited to, providing support services, removing the person alleged to be responsible for the maltreatment from the home, or removing the child to a safe setting.

Assessing the Child's Safety when the Report Involves a Setting Outside of the Home.

Social work staff should assess whether a child is safe in a facility outside of the home (including a family foster home) when there is an allegation of child abuse or neglect. (6.12, 6.13)

The agency providing care outside of the home should take immediate steps to protect the child by removing the person alleged to be responsible for the maltreatment from access to the child and other children and should implement a specific action plan detailing how it will keep the child safe pending contact by child protective services.

If a child is removed from a facility, the responsible agency should speak with the parents to determine if they intend for the child to return to that facility (e.g., a child care center), and, if so, what steps the agency and the facility will take to keep the child or other children safe.

1.16 Assessing the Family's Risk, Strengths, and Needs

The child protection agency's initial assessment of the family should include an assessment of its risks, strengths, and needs to determine whether the situation or condition of the child requires a child protective services intervention, other child welfare services, or no services.

Throughout the assessment process, the worker should be cognizant of and attend to the overall needs of the child (safety, risk, and well-being).

Risk-Assessment Protocol

Throughout the child protective services process, including the initial phase of evaluating a report and assessing the level of risk of future harm to the child, the child protective services staff should be guided by a standardized risk-assessment protocol, as a complement to or combined with a safety-assessment protocol.

When assessing future risk, the child protection staff should determine if there has been an accumulation of harm due to

a pattern of neglect. They should look at risk in conjunction with the family's history and its ability to sustain the behavior changes necessary to ensure the child's long-term safety.

The risk-assessment protocol should address risk factors and structure the decisionmaking process to:

- Assist the social worker in identifying those factors and persons that influence the child's situation;
- Provide a structure for decisionmaking that offers continuity throughout the provision of services; and
- Provide for increased agency accountability through documentation of decisions and actions and review of decisions by supervisory staff.

The risk-assessment protocol should include child factors, parent factors, and family/environmental factors. It should be designed to:

- Provide for the protection of the reported child as well as other children in the home;
- Assure that the most serious family situations receive prompt, appropriate, and intensive assistance;
- Include an assessment of the strengths within the family and the likelihood that those strengths can be used to reduce the risk of future abuse or neglect;
- Analyze previous patterns of abuse or neglect that may show an accumulation of harm;
- Support professional judgment, not serve as a substitute for it;
- Show responsiveness to racial, ethnic, and cultural differences;
- Assist the worker in developing the case plan, with an emphasis on family connectedness and child permanency; and
- Assist the worker in determining when the child protection agency can end services to the family.

Determining Strengths within the Family

During the worker's initial contact with the family and subsequent visits, the focus should be on strengths within the

family that may serve as protective factors and be built upon to modify risks and prevent future abuse and neglect. A strengths-based assessment incorporates these principles:

- People, regardless of their difficulties, can change and grow.
- Healing occurs when a family's strengths, not its weaknesses, are engaged.
- The family is the agent of its own change.

The social worker should be skilled in interview strategies and have the necessary tools, provided by the agency, to identify strengths within the family. By identifying strengths, the worker can more readily engage the family in making the changes needed to ensure the child's safety.

Determining Needed Change within the Family

The worker should determine, with the family, what behavioral and environmental changes are needed to reduce the risk of future abuse or neglect. The worker should analyze all information gathered during the assessment process to determine the needs of the family and develop strategies that will be effective in meeting those needs.

1.17 Sources of Information to Assess Safety, Risks, Strengths, and Needs

The child protection agency should use parents and immediate family members as a primary source of information, as well as other sources as needed, to assess the child and family's safety, risk, strengths, and needs.

Potential sources of information include, but are not limited to, professionals such as teachers, medical personnel, and law enforcement officers; relatives and neighbors; community agencies; clergy; and caregivers or other individuals known to the child and family. These sources should be sought out with the parents' knowledge and consent where possible and appropriate.

Any child or family history of child protective services or law enforcement involvement should be reviewed and assessed for current relevance.

Family group conferences can be used to obtain information related to the extended family's strengths and its ability to provide for the safety of the child.

1.18 Confidentiality

The child protection agency should treat all information obtained in a confidential manner to protect the privacy rights of the family and individuals within the family, while still protecting the child and assuring that services can be obtained by the family.

Under federal law, states must have provisions or procedures allowing for the release of certain information to specified professionals or to the public when there is a death or near death of a child from abuse or neglect. The child protection agency should have policies in place that provide for the release of information in such situations. (5.17)

Confidentiality should not be interpreted so as to create an obstacle to gathering or sharing relevant information with individuals who are working with the family, especially when necessary to protect the child. The agency's policy on confidentiality should be public information and should be formally shared with all participants in the assessment process.

Where possible, the agency should obtain the parents' approval prior to sharing relevant and appropriate information, even if obtaining that approval is not required. The agency should also involve children who are developmentally and chronologically old enough in the decision to share information related to them.

The name and identifying information of the person who reported the suspected abuse or neglect should be kept strictly confidential at all times.

The agency should develop policies that prohibit the release of the location of a battered person and his or her children from the batterer in situations where the person has relocated for safety reasons.

Protecting the safety of a battered person may require establishing separate case plans for each parent in situations involving domestic violence.

Disposition and Decisionmaking

1.19 Deciding Whether Abuse or Neglect Has Occurred

The child protection agency should reach a conclusion, in a timely manner, as to whether child abuse or neglect has occurred, based on the results of its assessment.

Every state and province has a statutory mandate that the designated child protection agency reach a conclusion as to whether abuse or neglect has occurred. The child protection agency should establish time frames and criteria for reaching a conclusion to assure uniformity in its decisions.

If the report of abuse or neglect was made by a mandated reporter, the reporter should be advised of the conclusion.

In most states, conclusions as to whether abuse or neglect has occurred fall into one of two categories: substantiated or unsubstantiated.

The conclusion that an allegation is *substantiated* should lead to some form of child protective services intervention, unless it can be shown the child is safe and is not at risk of future abuse or neglect. In some situations, it may be necessary to obtain a court order to assure the child's protection and to mandate services for the parents.

The term *unsubstantiated* may be used if

- There is insufficient information to determine whether child abuse or neglect has occurred;
- Child abuse or neglect as statutorily defined did not occur; or
- The family could not be located.

Where the allegations are unsubstantiated but the child appears to be at risk, preventive services should be offered on a voluntary basis to the family by the community.

In some states, the terms *inconclusive* or *indicated* are used to signify that indicators of abuse or neglect are present but the agency does not have sufficient evidence to find that abuse or neglect has occurred.

Legislation allows some child protection agencies to approach families from a different focus, depending on the

nature and severity of the allegation. Those agencies may replace an incident-based investigation (i.e., did abuse occur?) with a service-oriented assessment response (i.e., what help does the family need?). In these situations, the traditional conclusion of substantiated or unsubstantiated may be replaced with a different conclusion such as "services needed" or "services not needed."

In some states, conducting the family assessment will not result in a specific finding of abuse or neglect.

1.20 Determining the Appropriate Intervention

Following the initial assessment, the child protection agency should decide whether to directly provide services to the family, to refer the family to another agency or service, or to withdraw from the family.

Decisionmaking related to continuing services with the family or referring the family for community services is a critical aspect of child protective services. The results of the initial assessment should form the basis for a case plan. The parents should participate in deciding whether services are needed, which services can best address the needs within the family, and who will provide those services.

Direct Provision of Child Protective Services

If the initial assessment confirms a risk of continuing or future harm to the child and the child protection agency decides to continue child protective services, the social worker, with the assistance of the supervisor, should develop a case plan with the family that will guide the family and agency in ameliorating the conditions that have created the risk of harm to the child.

- The case plan must be realistic and achievable.
- The decision to continue services by the agency should be based on risk and safety concerns related to abuse or neglect.

Services may be provided directly by the agency or through other formal and informal community agencies and supports.

The intensity of the initial period of a child protective services intervention is much greater than that of other social

services. The period must often be prolonged so parents can begin to develop self-esteem and trust in their own ability to care for their child. As parents gain the ability to meet their child's needs, the service can become less intensive.

Referral to Another Community Agency or Service

Following the initial assessment, the child protection agency may decide that the family does not need its direct services, but may need other services to address mild/moderate risk factors or issues of well-being.

The agency should develop relationships and have in place formal working agreements with other community agencies from which the family may receive the services and supports required.

The decision by the child protection agency to terminate services and to refer the family to other community services should be made by the social worker in consultation with the family and with the assistance of the supervisor.

Referrals should be voluntary on the part of the family and the family should be involved in the decision to make the referral.

The child protection agency should make it clear to the referral agency or service provider that it is available if the agency, in the future, determines that the family needs to resume child protection services.

Withdrawal from the Family after the Initial Assessment

If, after the initial assessment, the child protection agency determines that the family is not in need of services, or in the case of voluntary services, the family elects not to receive services, the social worker, with the assistance of the supervisor, should end the provision of services in a timely manner. Refusal by a family to receive services in involuntary situations, however, should never be the basis for ending services to a family.

1.21 Parental Notification

The child protection agency should notify parents in writing and in a timely manner as to the conclusion of the assessment and whether the case will remain open for services.

Noncustodial parents, parents who are incarcerated, or individuals with a legal responsibility for the child should be notified in writing, as allowed under law, so long as such notification will not compromise the safety of the child.

Federal law requires that states have in place procedures for persons found responsible for child maltreatment to appeal such findings.

1.22 Deciding to Maintain the Child in the Home

If the initial assessment confirms a risk of continuing or future harm to the child, the child protection agency should use the information gathered during the initial assessment to determine if services available to the family can protect the child while (s)he remains in the home, and should develop a case plan with the family.

The agency should have a continuum of in-home services available, either within the agency or through community resources, to ameliorate the risk of harm to the child.

Services needed by the family to assure the safety of the child should be available on a 24-hour-a-day, seven-day-a-week basis.

1.23 Deciding to Remove the Person Responsible for the Maltreatment from the Home

When it is necessary to separate the child from the person responsible for the maltreatment, the child protection agency should pursue, via law enforcement and the courts, the immediate removal of any person and/or remediation of any condition that constitutes an immediate danger to the child.

Preferably, children should remain in their own homes if their safety can be reasonably assured.

The child protection agency should help the maltreating adult understand that it is in the child's best interest for the child to remain in the home environment and should ask the maltreating adult to voluntarily leave that environment.

In deciding whether to separate the child from the person responsible for the maltreatment, the child protection agency should consider:

- The type and severity of the abuse or neglect;
- The ability of the nonabusive adults in the home to protect and support the child;
- The potential risks to other children in the home;
- The presence of substance abuse in the home;
- The existence of domestic violence in the family;
- The vulnerability of the child (i.e., age, disability, level of fear);
- The likelihood that the maltreating person will stay out of the child's environment; and
- The ability to alter the conditions in the environment that endanger the child.

The worker should cooperate with law enforcement personnel, as necessary, to monitor the continued absence of the maltreating adult from the child's environment.

The worker should also assist the nonabusive parent in obtaining an *ex-parte* court order to legally require the maltreating adult to remain away from the child.

The child protection agency should advocate for the ability to petition the court directly to obtain for itself an *ex-parte* order on behalf of the child.

1.24 Deciding to Remove the Child from the Home

When a child cannot remain safely in the home, the child protection agency should pursue, via the courts if necessary, the child's removal to an appropriate out-of-home care placement.

The removal of a child from the home, even for a short time, is a drastic action that should be considered only when there is imminent danger to the child's life and safety, or when other measures to alleviate risk have failed or will not provide sufficient protection.

The provision of child protective services represents government intervention on behalf of children to assure that their basic needs are properly met. The separation of children from their families has a profound effect on their lives; that effect must always be a principal consideration in decisionmaking.

The child protection agency should carefully define the

conditions that constitute *imminent* danger to a child's life or health. They should include, but not be limited to, the following situations:

- The child has suffered serious physical or emotional injury, the parent refuses or is unable to protect the child, and the provision of services will not remedy the conditions in the home that make the child unsafe.
- The child is in a dangerous environment, there is substantial likelihood that the child will be harmed, and the parent refuses or is unable to protect the child.
- The child does not have the minimum necessities of life, such as food, clothing, shelter, and medical care, and the parent refuses or is unable to supply them, although financially able, or is offered financial means to do so and rejects them.
- The child does not receive an age-appropriate minimum degree of supervision, the parent refuses or is unable to supervise the child adequately, and providing services will not remedy the situation.
- The child has been abandoned and the parent cannot be located.
- The parent verbally threatens to harm or kill the child, or the child indicates a likelihood of harming himself or herself, and the parent does not take reasonable action to prevent it.
- There is a pattern of abuse and neglect that results in an accumulation of harm and the parent refuses to accept services.

The determination of imminent danger must be made on a child-by-child basis, taking into consideration the severity of the abuse or neglect; the child's age, environment, and condition; the parent's behavior, condition, and ability or willingness to accept services; the accessibility and availability of services and supports to alleviate the danger; and whether, even with services, the parent will be willing or able to keep the child safe.

Except in emergency situations when a child is in imminent danger and cannot be safely maintained in the home,

removal should take place only after reasonable efforts have been made to maintain the child safely with his or her own parents.

The worker should discuss with the age- or developmentally appropriate child the reasons for placement outside the home.

Case Planning: Developing an Appropriate Service Response to Child Protective Concerns

Families who require services and support from the child protective services system should be guided by a case plan that is uniquely structured to their situation, strengths, and needs, and that is time limited.

1.25 Case Plan Development and Service Delivery

The child protection agency should assure that the case plan and service delivery plan address the safety, risk and well-being issues identified in the assessment, and that it is respectful of the family's culture, religion, and ethnic heritage. (2.5)

The child protection agency should use the information gathered during the assessment to determine:

- The components of a behaviorally specific case plan that is individualized for the family, realistic, and achievable;
- What services and supports are needed;
- In what order and intensity services should be provided;
- Who will provide the services and supports (including informal supports);
- How service delivery will be monitored and evaluated; and
- When services are no longer required.

The agency should have in place an effective service delivery system that allows the social worker to obtain necessary emergency and ongoing services without delay.

1.26 In-home Support Services for Family Stabilization

If the case plan is for the child to remain in the home, the child protection agency should offer or provide access to a range of services that will support the family.

The services to be provided should be selected based on the needs and risks within the family, not the availability of the service. The services should be provided directly by the child protection agency and/or by community resources.

Service delivery should be tied to specific outcomes and monitored by the child protection agency to determine if the services are having the intended effect and if they continue to be needed.

In-home support services should include, but not be limited to:

- In-home aide services;
- Child care;
- Respite care;
- Therapeutic services (mental, emotional, medical, physical);
- Medical and health-related services;
- Parent education;
- Substance abuse services;
- Intensive family preservation services;
- Family planning;
- Domestic violence services;
- Parent self-help groups;
- Legal services;
- Housing assistance;
- Educational services;
- Emergency financial assistance and budgeting assistance;
- Social support system development; and
- Transportation assistance.

The child protection agency should assist the family in identifying supports that will help it assure the child's long-

term well-being. Generally, these supports will come from friends, relatives, neighbors, the family's faith community, and recreational programs.

1.27 Factors to Consider When a Child Must Be Placed in Out-of-Home Care

The child protection agency's placement decisions should assure that the child is in an environment that will maintain his or her safety and emotional security, allow for contact with family, and best meet the child's needs.

When a child must be removed from the home due to safety concerns that cannot be addressed in the home, the child protection agency should strive to ensure that, insofar as possible:

- Siblings remain together.
- The placement is in close proximity to the family and the environment in which the child lives.
- Suitable relatives (including noncustodial parents) or other kin are given priority as a placement resource for the child.
- The child's schooling is not disrupted.
- Attention is given to the child's cultural, ethnic, and religious characteristics.
- The parents' placement preferences are considered.
- The child's placement preferences are considered.
- The placement chosen is the most appropriate and least restrictive.

1.28 Emergency Shelter Services for Children

The child protection agency should have immediate access to emergency shelter services for children. The child protection agency should not place children who are the victims of abuse or neglect in adult jails or in detention facilities for juvenile offenders.

An emergency shelter service is an important resource that offers both emergency protection for the child and an opportunity to provide stabilization. It is critical that the care

provided during the time that the child is in an emergency shelter be sensitive to the child's needs and supportive of the assessment and case planning process.

> The child protection agency should take special care in making emergency arrangements for infants, toddlers, and other particularly vulnerable children to assure that they are placed in a family setting or other resource able to meet their need for nurturance and attention.

The shelter should be staffed by caregivers who posses the training and skills necessary to attend to a wide range of children's developmental needs, including the effects of separation from the family. As required by state, provincial, or local law, caregivers should be appropriately licensed.

Emergency shelter placement services should:

- Provide for admission on a 24-hour-a-day, seven-day-a-week basis, without regard to the child's race, sex, disability, ethnicity, or religion;
- Operate within applicable licensing standards;
- Provide a caring, homelike environment, with comfortable and safe physical surroundings and privacy for the child;
- Be used on a time-limited basis (i.e., less than 14 to 21 days) to allow for careful exploration of the possibility of family reunification;
- Provide medical screening for each child within 24 hours of admission;
- Offer specialized resources for the range of children needing shelter, including older children and youths, infants, sexually aggressive youths, substance-involved youths, children who witness domestic violence, and children with disabilities;
- Maintain sibling groups together, where possible;
- Provide for appropriate, regular, family contacts; and
- Recognize and respond to racial, ethnic, cultural, religious, and language differences.

Vital information about the child should be shared with the child's parents and other professionals who may be working with the child during the child's stay in the shelter.

The agency placing the child should make available to the shelter the child's medical, social, or educational history within 24 hours of placement and should maintain at least weekly contact with the child.

1.29 Kinship Care Services

The child protection agency should explore kinship relationships as a resource for the child in need of out-of-home care.

Kinship care is defined as the full-time care, nurturing, and protection of children who must be temporarily separated from their parents and who are placed with relatives, members of their tribes or clans, godparents, stepparents, or other adults who have a kinship bond.

The preferred placement for a child who must be temporarily separated from his or her family is with a suitable relative or other kinship family member. The child protection agency should assess the suitability and willingness of the child's kin to care for the child, facilitate placement of the child with kin, and provide support to the kinship family.

In deciding to place a child with kin, the social worker should assess the ability of that person to provide safe, nurturing care for the child and should avoid making decisions based solely on the parent's preferences.

To reduce the number of moves a child makes once separated from his or her parents, the agency should develop an assessment process that determines whether the kinship family can meet the child's immediate safety and care needs while a more thorough assessment for long-term placement is conducted.

Where appropriate, the child protection agency should support informal kinship placements in which it is not involved.

When a child's safety can be reasonably assured, it may be preferable for a child to be placed voluntarily by the parent in a safe and nurturing kinship home rather than in the custody of the child protection agency.

1.30 Accelerated Permanency Planning

The child protection agency should assist in identifying the permanency needs of children and provide services to achieve timely permanency.

Children who are removed from their homes have a need for permanency. Most children will return to their parents, but some will be placed in another permanent setting. Situations in which it is unlikely that the child will return home can often be identified early in the placement process.

The child protective services worker can recommend or assist in the development of a concurrent case plan that (1) works toward returning the child home, and (2) recognizes that the parent(s) may be unable or unwilling to establish a safe environment for the child and pursues another permanent family for the child.

The child protection agency should assure that when reunification is the plan, intensive services are provided to the child and family immediately after placement to implement the plan to return home.

1.31 Seeking Termination of Parental Rights, Voluntary Relinquishment of Parental Rights, or Other Permanent Change in the Child's Legal Status

The child protection agency should pursue voluntary relinquishment, termination of parental rights, or other permanent change in the child's legal status, when appropriate.

Some children who have been abused or neglected and removed from their families will not be able to return safely to their families. These children have a right to a permanent family that will nurture and support their development.

Permanency options for a child include:

- Adoption or guardianship by a relative or other kin;
- Adoption or guardianship by a nonrelative, including a foster family;
- Formalized long-term family foster care; and
- Independent living.

The agency should establish time frames for making permanency decisions.

Once the decision has been made to pursue adoption for a child, the agency should obtain a relinquishment of parental rights from both parents or a judicial termination of parental rights.

Agency staff should follow the requirements outlined in federal law, including the Adoption Assistance and Child Welfare Act (P.L. 96-272), the Adoption and Safe Families Act (P.L. 105–89), the Indian Child Welfare Act (P.L. 95–608), and the Multi-Ethnic Placement Act, as amended (P.L. 104–188).

Social workers should:

- Attempt to work with the parent(s) to have them voluntarily relinquish the child for adoption;
- Conduct a diligent search for all parents if their location is not known;
- Make a diligent attempt to locate a relative, kin, or other person who may be able to help the parent understand the importance of permanency for the child or be a resource for the child;
- Prepare all materials necessary to submit to court for the termination hearing; and
- Testify in court, as necessary.

The child protection agency should assist social workers in obtaining a relinquishment or termination. (4.5, 4.8)

1.32 Ending Child Protective Services Involvement with the Family

The child protection agency should conduct a periodic evaluation of each family's situation, with the assistance of the family, to assess the focus and direction of the case plan, make any necessary modifications, evaluate the family's ability to change, and decide when to end child protective services.

The length of time that child protective services are provided to a child and family in any situation should be de-

termined by the nature of the child's needs, the parents' ability to use the services provided, and the progress that is made toward correcting the situation that necessitated the provision of services.

Although it should be guided by the child's and parents' perspectives, the agency must make the final determination regarding when to end services. The parents should be contacted in person by the social worker prior to ending services and allowed to express their opinion as to whether services should continue.

> Child protective services should not be ended until the child is receiving care that meets his/her minimum needs, and the parents have behaviorally demonstrated their ability and willingness to protect the child over time.
>
> The child protection agency should not set an arbitrary time limit on a family's receipt of child protective services. The agency should respect the parents' pace in using the services without losing sight of the main goal—adequate care, protection, and permanency for the child.
>
> In a cooperative intervention, other agencies and professionals also should be involved in planning the termination of services.
>
> The agency should not end services when the court has ordered the agency to continue its involvement with the family. If the court orders the agency to continue to provide services to a family not appropriate for child protective services, or to discontinue services when they are needed, the agency should have in place policies to appeal that order.

Services should be ended if a report is unsubstantiated even though no service other than the initial assessment has been provided, unless there are indications of risk and the family voluntarily accepts services offered by the agency. If the parents need and want help with other problems that are not abuse/neglect related, the agency social worker should either refer them to an appropriate department within the agency or to another organization.

If the agency is concerned about the care a child is receiving, the parents will not accept services offered, and there is either insufficient evidence or no possibility of obtaining court-ordered services, or the court fails to order services, the agency may decide to end services for the present. It should, however, notify persons who might subsequently obtain additional knowledge or evidence to report such information promptly at the time it is received.

2

Social Work Practice in Child Protective Services

Goals:

I. Social work staff understand and use social work methods that are appropriate for the children and families being served.

II. Social work staff make timely and correct decisions related to child safety, case planning, service delivery, and service termination, in consultation with their supervisors and community partners.

III. Social work staff involve family members in and make sure they understand the decisions made related to child safety, case planning, service delivery, and service termination.

IV. Social work staff involve appropriate informal and formal community partners in supporting the social work process, while preserving confidentiality and protecting the privacy rights of the family and of each family member.

V. Social work staff are supported by the child protection agency in the social work process, which provides them with competent supervision, consultation, and other resources.

Social work practice with abused and neglected children and their families is the core of child protective services. It assures the protection of children; helps parents to competently undertake their parental roles and responsibilities; helps families make use of available resources, supports, and services; and helps the community provide or improve supports and services to children and families.

Child protective services social work acts in partnership with families and the community to assure child safety and well-being. Helping and supporting parents to provide care that meets the child's needs is the most effective way to protect children from further abuse or neglect, promote child well-being, and achieve permanence.

To assure long-term safety for the child and family, behavioral changes within the family often are needed. Social work services provided as part of child protective services can range from brief interventions to long-term assistance involving the collaboration of social services agencies, schools, hospitals, and other community resources. They may comprise one or a complete range of support services and may focus on individuals within the family or on the entire family.

Social work services must be flexible. They may be offered as an immediate response to a crisis, and/or may be needed to ameliorate chronic situations.

For the child protective services staff to be effective in their provision of social work services, they must be trained, culturally competent, responsive to the diversity within families, and familiar with and involved in the community.

2.1 Social Work Methods

The social worker* should use all appropriate social work methods in providing protective services, including casework, fam-

* Throughout these standards, child protective services staff are referred to as *social workers*. Implicit in the professional use of this title is completion of a program of course work at an accredited college or university that culminates in the acquisition of a professional degree in social work. Staff who provide case management

ily therapy, group work, family and child advocacy, crisis intervention, and community development and organization.

> The primary goals of social work services in child protection are ensuring the safety of the child and preventing abuse or neglect. Various methods, however, may be used to arrive at these goals.
>
> > In many situations, casework may be the appropriate and principal method used. Casework, including the professional techniques of interviewing and the use of the casework relationship, is particularly useful in working with persons who may not express themselves easily in words, who are involuntary participants, or who have not had the experience of having someone want to help them.
> >
> > Child protective services social work may require direct intervention with parents, children, and other family members, individually, in groups, and or as a family unit.
> >
> > Given the multiple stresses families served by child protective services often experience, the use of social support methods of interventions may be particularly appropriate. These include teaching, modeling, and providing concrete resources and guidance to help parents understand child development and behavior and to support them in anticipating and coping with the stresses and crises of child rearing and family life. (2.6)
>
> Child protective services social work has been influenced by research findings that identify the factors associated with child abuse and neglect. Research also has suggested methods for ameliorating or changing these factors, including addressing such issues as poverty, social isolation, mental illness, substance abuse, domestic violence, lack of knowledge regarding child development, need for parent education, and intergenerational influences. (5.18)

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services and service delivery often do not have a professional degree in social work. Use of the terms *social work* and *social worker* in these standards is not meant to imply that all child protective services staff are professionally trained social workers. Rather, the terms reflect best practice in child protective services delivery.

Child protective services social work must be delivered by culturally competent social workers with specialized training, experience, and skills. (5.33–5.35). Social workers should recognize the uniqueness of each family and approach each family from an individual perspective, although the methods they use will often be those that have proven successful in similar family situations.

Social workers may need to make adaptations in the methods they use when working with families from diverse cultural backgrounds.

An important component of any intervention with a family is helping family members to build partnerships with the extended family members, informal and formal community resources, and professionals who will be available to them as their children grow and develop. (1.5, 1.6, 2.9, 2.11, 2.12, 3.3, 3.4, 3.5)

2.2 Child Protective Services as a Specialized Practice

The child protection agency should recognize that social work in child protective services is a specialized practice area of child welfare, with distinctive features that should be incorporated into the agency's policy and practice.

Child protective services differ from other child welfare services in that they often involve:

- A legal mandate requiring intervention that may generate fear and hostility regardless of the parents' desire for help; (1.1, 1.2, 1.7, 1.8)
- An initial contact with the family that is often a surprise and not requested;
- An emergency-based service that must be available on a 24-hour-a-day, seven-day-a-week basis; (1.13)
- Children who are vulnerable and unable to protect themselves (which increases the social worker's need for skills in crisis intervention and safety decision-making); (1.15)
- The need to integrate both supportive and directive roles to intervene effectively with and strengthen families;

- The potential that the intervention can either result in positive behavioral changes for the family or further alienate them from seeking future community services and support; (2.6)
- The frequent need of victims and their families for specialized treatment;
- The need to collaborate with a variety of disciplines and community resources, some of which may have different expectations and philosophies; (3.1)
- The need to coordinate actions in behalf of victimized children with law enforcement and the court system; (4.1, 4.2, 4.13) and
- Working in an atmosphere where decisionmaking is frequently subject to public scrutiny.

Social work in child protective services is directive in nature and requires that social workers make prompt and sound decisions.

2.3 Roles and Responsibilities of the Social Worker, Supervisor, and Agency Administrators in Child Protective Services

The child protection agency's policies and procedures should set forth the statutory roles and responsibilities of the child protective services social workers, supervisors, and administrators, which in turn should be derived from the agency's legal mandate to protect children and provide services to families.

The knowledge, skills, and experience of the social workers, supervisors, and administrators should complement the statutory authority described in the agency's policies and procedures.

Social Worker Roles and Responsibilities

The social worker should:

- Respond to reports of abuse and neglect; (1.12, 1.13, 1.14)
- Initiate and continue involvement with the family until the child is safe from abuse or neglect and the risk of future abuse or neglect has been sufficiently reduced; (1.15. 1,16)

- Conduct a comprehensive assessment of the family, keeping child safety and risk as the primary focus; (1.16)
- Determine if abuse or neglect has occurred (or is occurring), and intervene to protect the child; (1.19)
- Explain to the parents that the community cannot allow a situation that is detrimental to the child's health or safety to persist;
- Assess the parents' ability and willingness to protect the child;
- Engage the child and family in identifying needs, strengths, and resources to improve child safety and well-being; (2.6, 2.7)
- Help develop and carry out a case plan with the family that leads to an adequate level of care for the child; (1.25, 2.5, 2.13)
- Initiate protective action (without the cooperation of the parents, if necessary) to legally remove the child from the parents and to obtain adequate out-of-home care; (1.24, 1.28, 4.1, 4.3)
- Maintain the parent/child relationship, as appropriate, if the child is removed from the home; (1.28)
- Maintain a comprehensive child protective services record on the family; (5.13, 5.14)
- End services to the family when they are no longer necessary or appropriate;
- Be cognizant of federal, state, and local laws that guide practice;
- Seek consultation and assistance from a supervisor, as needed; (5.32) and
- Develop and sustain collaborative relationships with other members of the community to promote and support a community-based response to the protection of children. (3.1)

The social worker should maintain the privacy of each family member. Information on the family should not be shared with persons who do not have a clear need to know, including other staff within the agency.

In addition, the social worker should direct appropriate services to meet the goals of the case plan, in coordination with other community members who are involved with the family. If services are not available, the social worker should work with the family to determine other ways to meet their needs and support behavioral change. (1.5, 1.6, 2.12)

In carrying out his or her roles and responsibilities, the social worker should strive to be culturally responsive (5.34) and to assure that his or her personal biases do not affect the assessment of the family and decisionmaking.

Supervisor Roles and Responsibilities

The child protective services supervisor should:

- Assist the social worker in objectively assessing the family's needs and strengths, based upon the significant safety and risk factors;
- Assist the social worker in using the information gathered to develop an effective case plan with the family and other professionals involved with the family;
- Model good practice, problem-solving techniques, and effective child protection intervention strategies for the social worker and other professionals involved with the family;
- Educate the social worker regarding federal, state, provincial, and local statutes, as well as agency policies and procedures;
- Provide staff supervision;
- act as a bridge between the social worker and the agency administration;
- Be cognizant of the personal safety needs of staff;
- Assist the social worker in determining when the judicious use of an authoritative approach may be appropriate to motivate the family in a positive way; and
- Ensure that services are provided to the family in the event the social worker is unavailable or the family is not currently assigned to a social worker. (5.32)

Administrator Roles and Responsibilities

The child protective services administrator should

- Ensure that the agency's mission and purpose clearly promote good social work practice;
- Create a work environment that supports sound social work practice and service delivery; and
- Recruit and select skilled, culturally competent social work staff members and provide them with preservice and inservice training opportunities that improve their capacity to engage families from a helping perspective. (5.30, 5.34, 5.35, 5.41)

2.4 Decisionmaking Points During the Provision of Child Protective Services

The child protective services social worker should have the skills and knowledge needed to make decisions during the acceptance and assessment of reports of child abuse and neglect, as well as during any intervention, and should know who to involve in the decisionmaking process.

The social worker will need to make some or all of the following major decisions at the time of the report assessment:

- Should the report be accepted for assessment of its allegations of child abuse or neglect? (1.9, 1.12)
- If the report is accepted for assessment, who should be involved in the assessment process and at what point should they be contacted? (1.13, 3.10)
- Is the child safe? If not, what steps should be taken to protect the child? (1.15)
- Based on the information collected during the initial contact with the family, is there a need for subsequent contact or can services be terminated? (1.20)
- Has abuse or neglect occurred? If so, who was responsible? (1.19)
- Does the family need services to remedy or prevent abuse or neglect? If so, what services are needed? (1.25, 1.26, 2.5)
- How can the agency meet the family's service needs

where a specific service is not available through the agency or in the community?

- Is court intervention (criminal or civil) needed? (1.20, 4.3)
- Should the child or other family members be removed from the home? (1.22, 1.23)
- If the child is removed from the home, where should the child be placed? (1.24, 1.27, 1.28, 1.29)
- Should services to the family be ended? (1.32, 3.15)

The social worker also may be involved in permanency decisions regarding the child, often in collaboration with the court and other child welfare professionals, including decisions as to whether the child should return home (1.30), and the most appropriate permanency placement for the child who cannot return home. (1.31)

2.5 Developing and Implementing the Case Plan

In partnership with the family, the social worker should plan for the services to be provided, determine the short- and long-term goals that the family must achieve, and set those decisions out in a written case plan. (1.25)

The case plan should:

- Specify the services to be used, the tasks to be undertaken, the person(s) responsible for each task, and the time frames for achieving the goals, objectives, and tasks;
- Provide for the child's safety while helping the parents gain the confidence and capacity needed to care appropriately for the child;
- Be developed with the family and realistically related to the family situation;
- Prioritize the goals and service delivery based on the immediate safety needs of the child and the risk of future child abuse or neglect;
- Allow for changes in the situation and the use of services based on a continuing reevaluation of safety and risk;

- Be behaviorally specific in identifying and measuring outcomes;
- Be developed with the recognition that certain goals must be included and met to assure child safety, even though the family may not recognize the need for these goals;
- Be related to the community's expectations of the parental role and responsibility for children; and
- Recognize the importance of both formal and informal community supports to the family.

The social worker should clearly explain the case plan to other professionals who are working with the family.

Social Work with Parents, Families, and Children in Child Protection

Social work with parents, families, and children within the context of child protection is based on a series of related interventions. The social worker's approach and ability to engage the family, including extended family and kin, is a major factor in determining the success of these interventions.

2.6 Social Work with Parents and Other Family Members

When working with the family, the social worker should maintain a constant focus on protecting the child and on helping the parents fulfill their parental responsibilities.

Most families will not be aware that a report of child abuse or neglect has been received by the agency until the initial contact by the social worker. At that contact, the social worker should lay the groundwork for the family's perception of the agency as a helping entity and set the stage for subsequent visits, if they should be necessary.

The social worker should know of the stages that family members, especially parents, commonly go through when they learn that a report has been made to child protective

services. These stages may include denial, anger, fear, rationalization, negotiation, compromise, and acceptance. The social worker should be able to recognize these stages, allow the family to openly express both positive and negative feelings, and respond appropriately when working with the family.

At the initial contact, the social worker should provide a clear description of why he or she is contacting the family and the legal responsibilities of the agency and social worker. Emphasis should be placed on possible protective concerns and on the child's and family's needs, rather than on the source of the report. The social worker should help family members to understand what they can expect from that point on, especially if it will be necessary to gather more information to decide if the family should receive child protective services.

During the gathering of information, the social worker should use care and discretion when contacting individuals who may be able to provide information on families and determining what information should be shared regarding the reason for agency involvement.

When meeting with family members, collaterals, or other individuals, the social worker should not have in his/her possession any written information that should be kept confidential.

The social worker should individualize the approach used to meet the needs of each family, accounting for such considerations as the family's primary language, culture, communication style, and structure.

Throughout the social work process, the social worker should use a nonjudgmental approach and should help the parents to:

- Recognize and respect the child's need for and right to physical and emotional security;
- Identify their own needs and how best to meet them in a manner that is both separate from the child's needs and nonabusive;
- Assess their willingness and ability to care for and protect their child; (1.16)

- Understand the effect that abuse (including domestic violence) has on family members;
- Protect their legal and constitutional rights, including helping them to obtain legal assistance, if necessary; (4.4, 4.9, 4.11)
- Strengthen their role as adults within the family and their responsibility to make sound and safe decisions for their child;
- Mobilize their energies through the social work relationship and the use of other services and supports, with a focus on improving their parenting skills, even though the parents may not recognize the importance of the services to improving the family's functioning;
- Identify strengths within themselves and their family that can be used to improve the care and safety of the child;
- Focus on the experiences and life circumstances that have meaning to them in order to build supportive relationships;
- Know that the social worker recognizes and respects the family's culture, ethnicity, and religion; (5.34)
- See that the social worker can be trusted; and
- Cope with environmental stresses and situational problems by locating and making use of resources and supports within the community. (1.26, 3.3, 3.4, 3.5)

In some situations, the social worker also will assist the parents in developing an alternate permanent plan for the child through, for example, adoption or guardianship arrangements. (1.29, 1.31)

In child protective services, the social worker should always be concerned about the child's safety and need for protection, and the effects of the family situation on him or her. At the same time, the social worker should understand the stresses of parenthood and, in particular, the circumstances in each family that prevent parents from providing adequate care for their child. (1.15, 1.16)

The social worker must accept the challenge of being tested by the parents for trustworthiness, especially those parents

whose experiences with other individuals and agencies have been hurtful and disappointing. The social worker should not expect to be trusted immediately.

The social worker should approach the parents from a family-centered and strengths-based perspective, and should actively engage the parents, kin, and other family members in the social work process. Clear, direct, and honest communication is an essential component of child protection. Critical and confrontative interactions, however, are seldom as helpful as giving positive support to parents, who may more readily make the changes needed in the family when there is a helping relationship.

Some families may be best served if, at appropriate points during the intervention, the social worker establishes the agency's authoritative position and sets limits that require the parents to work on those problems harmful to their child, unless they wish the child to be removed from their care. This approach should be used when, in the professional judgment of the social worker, it is necessary and is likely to motivate the family in a positive way. Therefore, it should be used judiciously and in consultation with the supervisor. (2.2)

2.7 Social Work with the Child

The social worker's decision as to the extent and type of direct social work with the child should be based on the age of the child, the nature of the child's problems, the child's capacity for understanding, the ability of the parents to help the child, the culture of the child, and the parents' willingness to permit direct help.

In the context of child protection, social work with a child should be used to:

- Determine if the child has been abused or neglected, or is at risk of abuse and neglect; (1.19, 1.20)
- Evaluate the effects of the maltreatment on the physical, developmental, emotional, and mental well-being of the child;
- Protect the child from future abuse and neglect;

- Provide (directly or through community resources) services to ameliorate the effects of the abuse or neglect;
- Initiate action to remove the child from a harmful environment, when necessary; (1.24)
- Help the child understand that he or she is not responsible for the abuse or neglect and the subsequent events that resulted in child protective services intervention; and
- Help the child express feelings and understand the behavioral changes that occur in the home as the parents and other family members benefit from services.

The social worker should interview each child, as well as other members of the family, to determine if problems are present for which help is needed. To determine if abuse or neglect has occurred, assess the need for services, and help the child express what has happened, the social worker should:

- Provide or arrange for services to be provided in a timely fashion, (especially during or immediately after the initial disclosure) by trained and experienced professionals or other members of the community who have a positive, supportive relationship with the child and his or her family;
- Provide developmentally appropriate information to the child about decisions that may affect his or her placement, safety, or emotional well-being;
- Respect the child's right to privacy during interviews;
- Interview the child in a child-centered environment and not in the presence of the person reported to be responsible for the abuse or neglect; and
- Interview the child in a manner consistent with the child's cognitive abilities.

As much as possible, the social worker should avoid conducting multiple interviews with a child.

If the nature of the allegation requires the involvement of law enforcement agencies, organized teams of well-trained and supervised law enforcement professionals,

child protective services social workers, and court personnel should work together to conduct joint interviews, or should view interviews conducted by others from behind a one-way mirror.

All interviews should be conducted by skilled personnel who are sensitive to the child's cultural and ethnic background and fluent in the child's primary language.

During the development of the child's relationship with other professionals, the social worker should remain a consistent and supportive figure. The social worker should recognize that the child may not be appreciative of the services provided or recognize their importance in helping him or her to achieve a safe permanent family.

If the child must be removed from the home, the social worker should help the child understand why he or she cannot be with the parents at this time. The social worker should provide assurances and continuity by acting as a liaison between the child, the parents, and others concerned with the child.

The social worker must accurately assess the child's special physical, emotional, cultural, and spiritual needs. Services to the child should be arranged by the social worker in the most appropriate and least restrictive setting; the pace of the services should be based on the physical, developmental, and emotional readiness of the child.

The social worker should help ensure that the child's best interests are represented if court action will be initiated.

The Role of Child Protection Partners in Supporting the Social Work Process

2.8 Public Agencies

The child protective services staff should develop a working relationship with other personnel within the agency or in other public agencies to help protect children and support families.

In helping the child to obtain permanency and the family to gain self-sufficiency, the child protective services social worker should look for assistance to:

- Foster care social workers;
- Adoption social workers;
- Family preservation services staff;
- Public assistance and employment personnel;
- Child support specialists;
- Agency legal staff;
- Public health staff;
- Educational personnel, especially the child's teacher and the school social worker;
- Correctional, probation, and parole officials;
- Public mental health and substance abuse treatment staff;
- Domestic violence program specialists within public agencies; and
- Developmental disabilities staff.

The child protection agency should assure that an array of services are available to meet the needs of families. To accomplish this, it should establish working relationships and interagency agreements with other public agencies that focus their fiscal and personnel resources on supporting families that may be at risk of abuse or neglect.

2.9 Volunteers, Informal Helpers, and Other Support Personnel

The child protection agency should consider using volunteers, informal helpers known to the family, and other support personnel when working with the family, and should establish defined tasks that these individuals may perform as part of the child protection team. (5.38)

Often, volunteers and informal helpers can reach families who might otherwise be reluctant to participate in services. Their efforts can supplement those of the social workers in supporting and assisting the family. These helpers can be involved in specific ways (e.g., participation in family group conferences and team meetings).

The agency should consider the use of the following volunteers or paid staff:

- Community volunteers;
- Agency support staff, including receptionists and others who may have frequent contact with families; and
- Paraprofessionals who provide direct services to the family or social workers within the agency.

Trained support personnel or volunteers can assist the social worker by:

- Helping parents to acknowledge their need for help;
- Serving as role models by modeling child care and home management;
- Observing and monitoring a child or home situation;
- Supervising family visits;
- Providing information about the community and its resources, and encouraging and helping parents to obtain needed services or resources;
- Maintaining regular contact with schools or clinics;
- Tutoring children or adults;
- providing social, recreational, and cultural experiences;
- Establishing supportive relationships;
- Helping the child or other family members overcome social isolation;
- Providing transportation services to family visits, medical appointments, and other activities;
- Providing crisis, respite, and emergency child care;
- Providing a temporary home for a child who must be removed from the home; and
- Assisting the social worker with routine paperwork and data entry.

2.10 Foster Parents

The child protection agency should have, through direct or contracted services, a sufficient number of family foster homes, with trained and experienced caregivers, to provide care for children who must be removed from their homes.

Foster parents can provide a safe and nurturing environment for children who must be removed from their homes.

The pool of foster parents available in the child's community should reflect the cultural diversity of the children for whom placement is needed.

Foster parents can provide critical information about and insight into the child and family and can help them in many ways. The agency should:

- Involve the foster parents as members of the family's multidisciplinary team, including their inputs and insights in the development and implementation of the case plan;
- Be in frequent communication with the foster parents regarding the case plan and progress being made;
- Use the foster parents as a support for the family, as appropriate; and
- Assist the foster parents in serving as models and coaches for the family in such areas as child care and behavior management.

2.11 Community Agencies that Provide Services to Families

The child protection agency should develop a working relationship with those community agencies that provide services to abused and neglected children and their families.

Agencies such as community mental health centers, child care facilities, domestic violence services, substance abuse programs, and health care centers are often based in or provide services within the neighborhood. (2.12) They can be a source of support for families and a source of information for the agency.

The agency should consider using community agencies to provide:

- Services that complement those it already provides;
- Information on the family and the neighborhood;
- Members for multidisciplinary teams to assist in the assessment of family needs and the provision of services to families;
- A resource for families who do not require the involvement of formal child protective services; and

- Advocacy for the family in the community.

In working with other community partners who are providing services to a particular family, the agency should attempt to obtain the consent of the family prior to sharing information.

If state or provincial statutes allow the sharing of information without the consent of the family, the social worker should inform the family regarding who the information will be shared with and why. The social worker should also discuss with those children who are developmentally or age appropriate why information about their situation will be shared.

The Role of Professional Colleagues in Case Planning, Consultation, and Service Delivery

Medical, psychiatric, psychological, educational, judicial, legal, and law enforcement professionals play an essential role in protecting children and supporting families. The agency and social worker should identify and call upon those professional colleagues who possess a specialized knowledge of child abuse and neglect, who are experienced and culturally responsive, who are able to offer sensitive and timely services, and who are willing to collaborate with other professionals.

2.12 Responsibilities of Professional Colleagues

The child protection agency and the social worker, on a family-specific basis, should collaborate with health, mental health, education, law enforcement, and judicial professionals to provide services and supports to families.

Health Care Personnel

Health care professionals (i.e., physicians, dentists, nurse practitioners) can provide diagnoses on physical conditions, including those related to abuse or neglect; interpret medical findings; and provide advice concerning a program of medical and health care for abused and neglected children and their families.

Mental Health Care Personnel

Mental health care professionals (i.e., psychiatrists, clinical psychologists, social workers, family therapists) can assist agency social workers in evaluating the child-parent relationship and the impact of abuse or neglect on the family, and can make recommendations regarding the treatment of individuals and families.

Education Staff

Principals, teachers, school social workers, and school counselors play an ongoing role in the overall development of the child and support of the family. School social workers in particular play a critical role in educating teachers, administrators, and support personnel in identifying suspected child abuse and neglect. Many states and localities also employ early childhood educators (such as Parents as Teachers) who routinely see children in their home. Schools can provide special educational and support services to children and adults within the family.

Law Enforcement and the Court

Law enforcement officers, prosecutors, judges, and court officers are key partners in providing services to abused and neglected children and their families. Law enforcement officers, judges, and prosecutors may use their legal authority to protect children and support the social work practice of the agency. The agency, in working with law enforcement and the courts, should develop formal agreements and protocols with these partners and make sure they understand how the agency is involved with the family, the purpose of child protective intervention, and how they can assist the agency and the family in protecting the child.*

2.13 Involvement of Professional Colleagues in Case Planning

The social worker should engage the assistance of professional colleagues in developing and implementing a case plan with the family.

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* The role of law enforcement professionals, prosecutors, and the courts is described more fully in Chapter 4.

To help the family address the issues that brought them to the attention of child protection, a case plan should be developed that is comprehensive, yet targeted to changing the behaviors and environments that make the child unsafe and place him or her at risk of abuse or neglect. (1.25)

Professional colleagues can:

- Assist the social worker in collecting information regarding child and family strengths, risks, and needs;
- Assist, within their area of expertise, in the development of behaviorally specific goals with the family;
- Assist the family in recognizing the importance of the goals within the case plan and understanding what the family might expect if the goals are met; and
- Act, individually or as a team, as consultants to the social worker to aid in decisionmaking regarding immediate safety and case plan development.

2.14 Case Management

When one or more professional colleagues are involved with a particular family, the child protective services social worker should ensure that a lead case manager is identified.

It is important that regular and ongoing communication occurs among the social worker and other multidisciplinary team members.

2.15 Involvement of Professional Colleagues as Consultants and Models

The child protection agency should engage professional colleagues as consultants to provide information, training, and professional support to enhance the social worker's assessment, decisionmaking, and intervention skills.

The services of consultants should not be confused with, or used as a substitute for, supervision, which should be provided on a continuing basis by agency social work supervisors.

Agencies that use a nonagency staff member in a supervisory capacity should clearly delineate that person's

responsibilities and authority in a contract or written agreement. (5.10)

Consultants can be used:

- In the diagnosis of and provision of treatment to particularly challenging families;
- To help the social worker evaluate progress toward achieving family-specific and system-related outcomes for the agency;
- As models for staff in providing a particular service or working with particular family dynamics;
- To help staff manage stress, keep themselves safe, and deal with a traumatic situation, such as the death of a child; (5.41) and
- To help define needed research, since over a period of time certain recurring problems may indicate a need for special study. (5.18)

2.16 Involvement of Professional Colleagues in the Delivery of Service

The child protective services agency should assure that specialists and specialized resources are available on a full-time, part-time, or contractual basis to meet the identified needs and problems of specific abused and neglected children and their families, as indicated in the case plan. (1.6, 2.12, 5.11)

Professional colleagues can assist in the delivery of services by:

- Providing a specialized service, as identified in the case plan, directly to a child or family member, or to the entire family;
- Developing a supportive relationship with the child and family;
- Conducting an evaluation or assessment of a family member;
- Formulating a comprehensive report with conclusions and recommendations for treatment or follow-up;
- Assisting in interpreting to the child and family the service being provided and what the likely outcome will be if those services are successful;

- Using their authority (in the case of law enforcement or medical personnel who may be able to take protective custody) to help parents understand their responsibility to protect their child;
- Participating as multidisciplinary team members;
- Making themselves available to testify in court, as necessary; and
- Monitoring the child or family.

2.17 Credentialing Authorities as Colleagues in Working with the Child and Family

The child protection agency should encourage credentialing groups for other professions to inform and educate their members about the complex issues and professional responsibilities related to child abuse and neglect.

Credentialing authorities can promote improved services for children and their families by:

- Assuring that their professionals comply with the mandatory reporting law in their states or provinces; (6.8)
- Taking prompt action against those professionals who fail to report suspected child abuse and neglect;
- Supporting and promoting the need for their professionals to work collaboratively with the child protection agency and others to ensure a timely, comprehensive response to abused or neglected children and their families; and
- Requiring knowledge of and specialized skills in working with children who have been abused or neglected and their families.

3

Working Together to Keep Children Safe: A Community Responsibility

Goals:

I. The community has a plan for, and the capacity to provide a full range of services and resources, both formal and informal, for the prevention, assessment, and treatment of child abuse and neglect.

II. The child protection agency uses an active and ongoing process to involve members of the community, including families, in the design and implementation of a strategy to protect children and support families.

III. The child protection agency has agreements or contracts with community partners to assure that children and families, including those families who do not need formal child protective services, receive needed services and supports.

IV. The community understands the role of the child protection agency and refers families to it who are in need of a child protective services assessment.

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Communities are responsible for protecting children and keeping them safe. Although parents have the primary responsibility for protecting their children, to be successful they need ongoing support from the community. Each community must ensure that a full range of services and resources, both formal and informal, is available for children and families, for the prevention, assessment, and treatment of child abuse and neglect.

In many communities, protecting abused and neglected children is no longer viewed as the sole responsibility of the formal child protection system. Rather, the child protection agency is seen as a collaborator with other agencies and community partners in providing a full range of supports and services to vulnerable children and families. The child protection agency, in partnership with law enforcement agencies and the courts, educators, health care professionals, religious and civic groups, businesses, and local government, provides leadership to mobilize the community's resources to meet the needs of the children they serve directly, as well as all children in the community. Child protective services should be perceived by families and the community as an integral part of the community.

Developing a community partnership for protecting children requires that members of a community be involved in designing and carrying out a strategy for protecting children. This collaboration should be an integral part of the community's social support system and should build upon existing formal and informal resources. The community partnership or collaboration established for child protection should be sustainable, based on common goals and values, and involve all members of the community.

In designing a community strategy for child protection, each community needs to create a written plan for improving child safety that describes who will be involved and how members of the community will work together and individually to support families and keep children safe. The strategy should identify the community and family-specific risk factors that need to be addressed, address the safety and well-being of children, describe the strengths and resources of the community, and encompass both prevention

and protection. It should describe how at-risk families will be helped to parent successfully, how families that have been involved in abuse or neglect will be assisted in improving their parenting skills and obtaining the resources they need, and how situations of serious abuse or neglect will be handled.

The community should develop a full range of services for families experiencing or at risk of abuse and neglect. These services and supports should include a focus on strengthening the connection of at-risk families to the community.

An important component of any community prevention strategy is the recognition that at any given time, all families need support in providing safe and nurturing care. Many of the needs of the children and families served by child protection are the same as those that other families have. Prevention activities within the community can take several shapes and be focused on the community as a whole, or on targeted families. Prevention services that are "normalized"—viewed as something that all families can benefit from—can result in more families accepting these services as important to their overall well-being as a family. Whether they are educational, developmental, recreational, or spiritual, any programs that support families should be seen as prevention activities.

The Role of Community Partners in Preventing Child Abuse and Neglect

3.1 The Role of the Child Protection Agency in Building Partnerships

The child protection agency should take a leadership role in helping the community develop a consensus and a broad-based strategy to prevent and ameliorate child abuse and neglect.

The state or provincial child protection agency has the responsibility to protect children from harm, a responsibility delegated to it through the passage of statutes and the funding of staff resources and programs. Interventions should be delivered in a manner that provides safety for children

and seeks to amend the conditions that may lead to abuse or neglect. The agency's responsibility, however, goes beyond allocating resources and delivering services to abused and neglected children and their families.

When providing leadership, the child protection agency should recognize that local autonomy and decisionmaking are important components of building a community partnership for protecting children. (1.7)

Child protective services administrators and supervisors should build community support by:

- Conducting public awareness campaigns and other community education programs to inform all segments of the community of the extent and nature of child abuse and neglect, and the resources necessary to prevent it, to protect children, and to strengthen families;
- Collaborating with community agencies and individuals committed to preventing child abuse and neglect and supporting children and their families;
- Working with community leaders to encourage, facilitate, and support community partnership efforts to protect children and support families;
- Developing needed resources and services to meet the needs of all children and their families, using federal, provincial or state, and private funding sources;
- Building with the community a full range of services and supports for families and children; (1.26, 5.11)
- Locating staff and resources within the community;
- Supporting the cross-training of professionals and other community members involved in supporting families;
- Assisting in developing working agreements among various agencies and individuals involved in providing services to abused and neglected children;
- Training staff in community engagement, community needs assessment, cultural diversity, and working as a partner within the community; (2.3, 5.34)
- Providing leadership within the community to ad-

dress those societal factors that may lead to child abuse and neglect (e.g., inadequate housing, economic conditions, domestic violence, mental illness, lack of education, substance abuse, social isolation); (0.4, 0.5) and

- Working with all members of the community to assure that the community recognizes its diversity and provides culturally responsive services and supports. (5.34)

Workload calculations for social workers and supervisors should include time allocated for community development activities. (5.9)

3.2 The Role of Parents and Families

The child protection agency should encourage parents and families to play an active role in the community partnership, to make the community aware of the need to provide support and services to children and families, and to engage the community in supporting children and families. (1.4, 6.10)

Parents and families can actively collaborate with the child protection agency by:

- Participating within the community as part of the fabric of support for other families;
- Participating in community activities, planning processes, and service delivery discussions to assure that the community develops a system that protects children, supports families, and is culturally responsive; and
- Sharing with community agencies their ideas and recommendations to improve the delivery of support services to children and their families.

3.3 The Role of Community Agencies and Service Organizations

The child protection agency should encourage community agencies and service organizations to be active participants in community partnerships to protect children and support families.

Community agencies and service organizations that might provide services and share their skills and resources include schools, child day care and Head Start programs, health and mental health care providers, law enforcement agencies, domestic violence service providers, substance abuse service providers, and neighborhood associations. Community leaders should also be seen as potential partners. (1.6, 2.11, 2.12, 4.1, 5.23)

In providing leadership within the community, the child protection agency should encourage community agencies and service organizations to:

- Provide an array of culturally responsive services and supports to families in the community, based on each organization's mission and expertise;
- Collaborate with other members of the community in outreach programs to engage at-risk families and to assure that those in need of services and support have timely and easy access to them;
- Develop working agreements among themselves and others providing services in the community to eliminate unnecessary service duplication, increase communication, and allow for cross-agency training;
- Share their expertise in community development, advocacy, financial management, evaluation, and community-based service delivery with other partners and the community;
- Advocate for statutes, pooled and flexible funding strategies, and policies that support service integration and a community partnership approach to protecting children;
- Assure that their service programs promote healthy child development and are responsive to the individual needs of children and families;
- Work with other community partners to respond to service needs that are currently unmet;
- Assure that staff are properly trained and skilled in their area of expertise, as well as in the recognition and reporting of child abuse and neglect, community development, teamwork, and advocacy;

- Participate on multidisciplinary teams in the community;
- Encourage staff to play an active role in community activities that support families; and
- Collect and disseminate information that supports the community partnership.

Role of Schools and Institutions of Higher Learning

Because of their special position within the community, elementary and secondary schools can:

- Support families by providing or making their facilities available for after-school programs, parenting classes, child safety classes, and other educational and recreational programs;
- Allow for the use of their facilities for other activities within the community that support families and children; and
- Provide opportunities for parents to participate in the educational development of their children.

Institutions of higher learning should play a significant role in the prevention and treatment of child abuse and neglect and the development of community partnerships. Universities and colleges can:

- Provide volunteer services such as research, clinical social work, community development expertise, and consultation; (5.18)
- Educate students and practitioners in all related fields on current issues regarding child abuse and neglect;
- Provide preservice and inservice training to child protective services staff and community partners; (5.35, 5.36) and
- Collaborate with the child protection agencies in preparing graduates for working with abused and neglected children and their families in the community.

Role of Child Day Care and Head Start Programs

Comprehensive child day care and Head Start programs, when designed and provided as child development/child welfare services that incorporate education, nutrition, health, and family services, can play a significant role as a

preventive, remedial, and therapeutic service, and can strengthen and support at-risk families.

Child day care and Head Start staff can actively promote and encourage the involvement of families and serve as an extended support system by:

- Developing positive relationships with parents;
- alerting parents to signs of stress in their behavior;
- Providing parents with an understanding of child development;
- Providing parenting education;
- Providing information about community resources; and
- Providing a support network.

Role of Health and Mental Health Care Professionals

Health and mental health care professionals can work with individual families and assist them in meeting the safety and well-being needs of their children. Equally important is their collaboration with other members of the community to provide care and support, and to prevent child abuse and neglect. They can assist other community members in engaging health care management agencies to be responsive to the needs of families and children. (2.12)

Role of Law Enforcement

Law enforcement agencies can work with community members to address the conditions that cause families and children to be unsafe in their communities. In addition to their traditional role of investigating criminal activities and providing safety for child protection social workers, law enforcement agencies often assist communities in developing and staffing neighborhood crime prevention programs. (4.1)

Role of Domestic Violence Service Providers

Many of the individuals who request domestic violence services have children in need of protection and services. Community support for these families is critical to their living safely. Domestic violence service providers can assist the community in recognizing the connection between domestic violence and child abuse and neglect by:

- Offering advocacy, support, and treatment services to adult victims and domestic violence perpetrators, and to children; and
- Assisting the community to develop domestic violence education and prevention programs.

Role of Substance Abuse Service Providers

A significant number of families at risk of child abuse and neglect have at least one family member who needs substance abuse treatment. Substance abuse service providers can serve as a source of community support by providing consultation and training in recognizing and addressing the underlying causes of substance abuse, by teaming with community partners in assessing family needs and strengths, and by assisting families in addressing substance abuse problems.

Role of the Military

Each branch of the military provides service personnel and their families who live in the community with a wide array of services and supports, and each has a Family Advocacy Program that focuses on the prevention, identification, and treatment of child abuse and neglect.

> Although the military has authority over its active members, it has little authority over civilian family members. In addition, a significant number of military employees reside off-base or use services within the community.

The child protection agency should engage personnel from the Family Advocacy Program as part of the community partnership. The agency, along with other community partners, such as law enforcement agencies and the juvenile or family court, should develop a memorandum of understanding with the military administration and working agreements with Family Advocacy Program staff.

3.4 The Role of Informal Family and Community Supports

The child protection agency should engage informal supports such as friends, relatives, and neighbors when working with children and families.

These informal supports, which often provide the long-term aid that a family needs to move forward and maintain a child's safety, will be available to children and families when the formal agencies have ended their services. Often, these informal supports act as a cultural guide, assisting the social worker in conveying important information to and about the family. Informal sources of support should be encouraged to play an active role in assuring that children are safe from abuse and neglect. (1.5, 2.9)

Informal family and community supports can assist children and families who are at risk of abuse and neglect by:

- Encouraging families who are at risk of abuse or neglect to acknowledge they need services and by helping them to access these services;
- Identifying children who have been or are being abused or neglected and reporting their concerns to the appropriate authorities;
- Providing a safe temporary living arrangement for children who cannot remain in their own homes;
- Providing regular and ongoing support to families before, during, and after services are ended by the formal child protection agency and other community agencies; and
- Advocating for services and resources within the community to support and protect children.

3.5 The Role of the Faith Community, Civic Organizations, Businesses, and Other Community Institutions

The child protection agency should engage the faith community, businesses, neighborhood organizations, recreational programs, and fraternal organizations in protecting children from child abuse and neglect and in providing support to families. (1.6, 2.9)

Each community comprises a variety of organizational supports for families beyond those traditionally looked to by child protection agencies. These resources can:

- Support the development of self-help groups and employee assistance programs;

- Advocate for support for adequate family assistance programs, such as employment services, housing, child care, and medical/mental health care;
- Train staff members and others in the identification of high-risk factors for and indicators of child abuse and neglect;
- Collaborate on the provision of ongoing supports to families (e.g., corporate-sponsored child care, after-school programs, flextime for working parents who need it, parental leave);
- Play an active role in any planning effort and community partnership established in the community to prevent and ameliorate child abuse and neglect;
- Participate in planning with the child protection agency for a full range of services and supports; and
- Encourage their staffs to be active in programs within the community that support and engage families and keep them connected to resources.

3.6 The Role of Tribal Authorities and Indian Nations in Responding to Child Abuse and Neglect

The child protection agency should engage tribal authorities and organizations in a partnership to protect children and support families and should establish agreements with each tribe that reflect the customs, codes, and culture of that tribe. (4.21)

Special legal and cultural issues relate to serving Indian children and their families. Each tribe has unique customs and tribal codes that must be understood and respected. The child protection agency should acknowledge that recognized Indian tribes are sovereign nations and work with their tribal governance. Agreements with Indian tribes and organizations should address the needs of children who reside within the reservations as well as those who live outside of the reservations.

Within the community there may also be organizations that advocate for Indian children and their families. These organizations should be engaged by the child protection agency and the community as partners in child protection.

3.7 The Role of the Media

The child protection agency should engage the media in its efforts to prevent child abuse and neglect, protect children, and support families.

The media have a tremendous influence on how individuals view their communities, the people who live in the community, and the agencies that provide services to those communities. The media can assist communities in their efforts to prevent child abuse and neglect by:

- Developing an understanding of the dynamics of child abuse and neglect;
- Seeking a balanced, informed perspective whenever reporting on child abuse and neglect;
- Assuring that media presentations do not exploit children or their families;
- Understanding the roles and responsibilities of the formal child protection system;
- Developing community standards and ethics in collaboration with professional agencies regarding the presentation of child abuse and neglect issues;
- Working with the community on public awareness campaigns related to the prevention and treatment of child abuse and neglect;
- Reporting successful interventions with children and families; and
- Encouraging staff to be active in their community in programs that support families.

Shared Commitment in the Establishment of a Community Partnership to Protect Children and Support Families

To be effective, community partnerships for the protection of children should be developed collaboratively. Each member of the partnership must evaluate its role and responsibilities within the community and be willing to share its resources, expertise, and time with other members. Each member should also be willing to look beyond its traditional

role to determine if there are changes or expansions it can make that will enhance the overall community protection effort. Several significant areas within a community partnership require the sharing of responsibility. These areas cross the spectrum of child protection concerns from prevention and public education to services for families at risk in the community to mandated responses due to moderate or serious child abuse and neglect.

3.8 Shared Responsibility in Preventing Child Abuse and Neglect

The child protection agency should assist communities in developing strategies to prevent child abuse and neglect.

Primary, secondary, and tertiary prevention approaches should be used to address those factors that contribute to child abuse and neglect. Community agencies and individuals should work together to make child abuse and neglect prevention a prominent and integral part of the community. (1.5, 1.6, 1.7, 1.9, 3.1, 3.3, 6.1, 6.2)

Child protection agencies, community agencies, and individuals should work collaboratively to:

- Develop family resource programs within neighborhoods to provide prevention services such as self-help groups, information and referral services, recreational programs, and social activities;
- Develop personal safety and family life programs for children and youths;
- Provide for preventive health care services and home visiting;
- Assure the availability of sufficient quality and affordable child care;
- Strengthen natural supports within the community;
- Provide opportunities for families to share with other members of the community their talents and expertise;
- Address housing needs and transportation needs within the community;

- Ensure that there are adequate services for victims of family violence;
- Develop programs that will reduce teenage pregnancy, teenage substance abuse, and school dropout rates; and
- Develop mediation services that will safely assist families experiencing divorce/custody disputes and parent/child conflicts.

Working together, the child protection agency and community resources should develop public education campaigns on child abuse and neglect prevention, and identify financial resources, both public and private, that can be used to support prevention activities.

3.9 Shared Responsibility in Supporting and Strengthening Families at Risk of Child Abuse and Neglect

The child protection agency and the community should assist at-risk families in accessing and using the full range of services and supports that address those factors that increase the family's risk and vulnerability.

Many of the activities developed through community prevention programs are already accessed by the entire community. These programs should strive to identify families that may be at risk of abuse and neglect and assist them in using the services effectively. (1.3, 1.5, 1.6, 1.7, 1.9, 1.20, 2.12)

Communities, child protection agencies, and individuals should share in the responsibility to support and strengthen at risk families by:

- Developing a formal mechanism of referral so that at-risk families receive the services they need when formal child protective services are not indicated or required;
- Encouraging, through formal and informal contacts, families at risk of abuse and neglect to receive services;
- Conducting a community needs assessment that identifies service and support needs;

- Developing a full range of efficient and effective services and supports, both formal and informal, within the community, that are accessible to neighborhoods with significant numbers of at-risk families;
- Assuring that services and supports are culturally responsive;
- Developing common assessment and referral tools; and
- Assuring that services targeted to at-risk families do not result in those families becoming stigmatized.

3.10 Shared Responsibility at the Time a Report is Made to the Child Protection Agency

The child protection agency and the community should develop a formal process to assure that families needing assistance are referred to the appropriate community services and supports.

Traditionally, child protection agencies have taken full responsibility for determining if a family will receive formal child protective services. This approach has resulted in a lack of understanding in some communities as to the types of family problems that are appropriate for child protective services intervention.

The child protection agency and other community agencies should share the responsibility of helping families to determine their needs and to identify who can best serve them, through:

- Collaboratively developing a referral process for families referred to the child protection agency who need services other than formal child protective services; (1.7, 1.9)
- Asking the reporter, in particular mandated and other reporters who may know the needs of the family, to describe and identify services that may be needed by the family, whether or not the child protection agency conducts a formal assessment; (1.12) and
- Involving mandated reporters in the intake decision-making process, including determining if the reporter can play a role in the initial contact with the family

or in ongoing service delivery. The family's right to privacy and confidentiality should be considered before involving the mandated reporter in the initial contact. (1.13, 1.18)

3.11 Shared Responsibility in the Assessment of the Family and of the Allegation of Child Abuse or Neglect

The child protection agency should develop working agreements regarding when to conduct a joint assessment of an allegation of abuse or neglect, who should be involved, how the initial contact will be made, who will take the "lead" in the assessment, and mechanisms to allow for an immediate determination of the safety of the child; (1.13, 2.12, 4.1)

To accurately assess the safety and well-being needs of a child, and engage a family that needs services and support, a joint assessment by the child protection agency and other appropriate community partners may be appropriate and preferable.

The child protection agency and other community agencies should:

- Determine who within the community may be appropriate to assist in a joint assessment of the safety of the child; (1.13)
- Develop policies and protocols for the sharing of information and confidentiality, both within the partnership and externally; (1.18, 5.17, 5.26) and
- Develop common assessment and referral protocols.

3.12 Shared Responsibility in Responding to Families in Which Children Are at Risk or in Which Abuse or Neglect Has Occurred

The child protection agency and its community partners, as appropriate, should assure that there are services and supports within the community to assure the safety of those children at risk of child abuse or neglect, and should respond collaboratively to help families in which abuse or neglect has occurred.

The safety and protection of children is the primary purpose of child protective services. (1.1)

Child protection agencies and the community have a shared responsibility to keep children safe and to provide services to families in which there is serious child abuse and neglect or the risk of such abuse or neglect. The child protection agency and the community should work together to:

- Develop and implement protocols and agreements on the joint assessment of the safety of the child and the provision of services and interventions needed to keep a child safe (These agreements should involve law enforcement, medical personnel, and others who have the ability to take protective custody of a child, and the court.); (1.13, 4.1)
- Develop and maintain a community child fatality review process to review child deaths and serious injuries, including child abuse and neglect deaths, as well as those caused by accidents and other avoidable incidents, and to advocate for activities to prevent future deaths; (5.28)
- Hold regular multidisciplinary team meetings that include individuals who are representative of families at risk of child abuse and neglect to formulate a proactive response to service needs within the community;
- Communicate to the community the need for services and resources to support families where child abuse and neglect have occurred and to educate the community as to how it can help; (3.1) and
- Provide for a full range of services for children who are unsafe or who are at risk of future abuse or neglect.

Many families in which abuse or neglect have occurred have a multiplicity of service and support needs that should not, and often cannot, be met by one agency or individual. The child protection agency and other appropriate community agencies should:

- Develop a full range of services for families, including family support services (1.26) and out-of-home placement resources for a child who must be removed from the home; (1.28, 1.29, 2.10)

- Assist families in identifying informal supports that can help them meet their particular needs. These informal supports should include, but not be limited to, the family's relatives, friends, faith community, and employers; (1.5, 1.26, 2.6, 2.9, 3.4, 3.5)
- Develop protocols on the timely assessment of relatives, other kin, and friends of the family who may be able to temporarily care for the child, often through voluntary placement by the child's parents, if the child will be safe without court involvement; (1.29) and
- Expedite the establishment of permanency for a child, including the timely identification of a permanent home if the child cannot return to the home from which he or she was removed. (1.30, 1.31)

3.13 Shared Responsibility in Working with Informal Family Supports

The child protection agency should support families through a broad team approach that encompasses extended family members, kin, friends, neighbors, and community organizations.

Family members, kin, friends, neighbors, and community organizations can provide long-term support after the child protection agency and other formal community services have moved on to assist other families. They also play an invaluable role in assessing family strengths and needs, in assisting with decisionmaking and planning, and in supporting families as they attempt to make needed changes.

The child protection agency can encourage the involvement of informal community and family supports by:

- Involving them, as appropriate, in the family's safety and case plan;
- Assisting families referred to the attention of the child protection agency to identify and engage those informal resources that can provide them with positive support; and
- Engaging sources of informal support as partners in community activities, conferences, and training sessions.

3.14 Shared Responsibility in Multidisciplinary Staffing and Joint Decisionmaking

The child protection agency serving the family should use a multidisciplinary approach that actively involves all individuals who can help support the family.

The child protection agency and appropriate members of the community should:

- Develop written agreements on team decisionmaking with families who receive services for child abuse and neglect or are referred to the community for services;
- Train staff on how to work effectively from a multidisciplinary, cross-system perspective;
- Clearly articulate their goals in working with the family and assure that they are in agreement with the child's and family's plan so that the family has a clear understanding of what is required to assure that the child is safe; and
- Communicate on a regular basis with other individuals working with the family to coordinate service delivery.

3.15 Shared Responsibility in Ending Services to the Family

The child protection agency and members of the community working with a family should collaborate on the decision to end services to the family to assure that the child is safe and protected.

The child protection agency and those members of the community providing services and supports to the family should:

- Involve the family in the decision to end formal services; (1.32, 2.6)
- Involve community-based service providers and others, while respecting the privacy and confidentiality of the family, in a review of the family's progress, and provide an opportunity for their input into the decision to terminate services;

- Notify all individuals who are working with the family, and who have a right to know, when formal services will end, and articulate the reasons why services are being terminated;
- Develop a plan for any aftercare services or ongoing support to be provided to the family by formal and/or informal partners; and
- Provide sufficient notice to the family regarding the termination of formal services.

If the court is involved, the child protection agency should provide it with a report regarding the termination of formal services.

If there is no agreement on the termination of services, the court should be approached jointly with the reasons for or against the termination of formal services. (4.5)

4

Working with the Civil and Criminal Justice Systems in Protecting Children

Goals:

I. The child protective services staff, prosecutors, law enforcement personnel, guardians ad litem, court-appointed special advocates, probation and parole officers, and members of the judicial system work together effectively to protect children and to strengthen families.

II. The child protection agency uses the courts effectively and appropriately to protect children and to hold accountable those persons responsible for the abuse or neglect of children.

III. The child protective services staff and law enforcement personnel work together effectively to assess and respond to child protection concerns and to make sound and timely decisions regarding child safety and risk.

IV. The child protection agency's legal counsel provides its child protective services staff with competent counsel and

effectively represents the interests of children, families, and the agency throughout the court process.

V. Children are protected and provided with permanence as a result of their involvement in the civil or criminal justice systems.

VI. Families understand the civil or criminal justice process, why they are involved in it, and what is expected of them.

VII. The child protection agency, law enforcement agency, and the courts effectively and consistently adjudicate situations involving criminal child abuse and neglect.

Child protection agencies, law enforcement agencies, juvenile or family courts, criminal courts, and the prosecutor share responsibility for the protection of children when the parents of those children are unable or unwilling to provide for them. Law enforcement agencies, prosecutors, and the criminal court become involved with families primarily when there has been a criminal violation and there is a need to hold an individual legally accountable for his or her actions. The juvenile or family court and the child protection agency have in common the responsibility of providing for the care, protection, and well-being of children and preserving the unity and privacy of the family when it is both possible and safe to do so.

The various courts, child protection agencies, law enforcement agencies, and the prosecutor each have their own unique obligation to fulfill, and a fundamental responsibility to leave to the other partners their respective functions as established by law. To effectively carry out their collective responsibilities to protect children and the community, however, they must coordinate their activities and work collaboratively.

The child protection agency must understand and be able to work effectively with the legal system. Often, civil and criminal court systems will concurrently be involved with the same family. When this happens, the child protection agency and the prosecuting attorney should help coordinate these systems so that the child and family are not unduly harmed by the differing values and processes of these two systems.

Respective Roles of the Courts, Law Enforcement, the Civil and Criminal Justice Systems, and the Child Protection Agency

4.1 Role of Law Enforcement in Protecting Children

The child protection agency should maintain a close working relationship with the law enforcement agency, and should seek its involvement in responding to reports of child abuse and neglect where it is suspected that a criminal violation has occurred, as well as in other situations that require protection of the child or the social worker. (1.13)

Law enforcement is a critical component of any community partnership to protect children. By statute, each state or province involves law enforcement in reports of abuse or neglect where there may be a criminal violation.

Law enforcement's primary responsibilities with respect to child protection are to:

- Report suspected child abuse and neglect to the appropriate child protection agency;
- Receive reports of child abuse and neglect, as determined by state/provincial law and local protocol;
- Gather physical evidence and conduct interviews during the assessment process;
- Assist the social worker to gain access to the child if the parents refuse to allow such access;
- Determine whether there is "probable cause" to believe that a crime has been committed or that a child needs to be protected through a request for juvenile or family court intervention;
- Arrest individuals believed to have committed a crime against a child;
- Take protective custody of a child, if necessary;
- Refer the information collected to the prosecutor if there is "probable cause" to believe that a crime has been committed;
- Develop a memorandum of understanding with the prosecutor on the investigation of reports and sharing of the findings;

- Testify in court, as necessary;
- Enforce the orders of the court; and
- Protect the personal safety of the child protective services staff, if necessary.

Law enforcement officials can also facilitate child visiting of parents who are incarcerated during or after the investigation. The prosecutor should be involved in any decisions related to visiting during the adjudication process.

The child protection agency should establish a formal written interagency agreement with the law enforcement agency. The agreement should provide for joint notification of both agencies when there is suspected child abuse and neglect and should set forth the persons to whom a report should be made. The agreement should also establish the roles and responsibilities of the respective agencies during and after the assessment (i.e., Who takes the lead? Who conducts the interviews? How should evidence be handled?). In addition, interagency agreements should address:

- Protocols for determining when joint assessments are appropriate;
- Joint and cross-training, with an emphasis on the dynamics of child abuse and neglect, domestic violence, safety and risk assessment, services provided by the child protection agency, the legal procedures necessary to gain access to these services, multidisciplinary teamwork, and testimony in the various court systems;
- The identification of specialized law enforcement staff who will conduct child abuse and neglect investigations, and specialized child protective services staff who will conduct child abuse and neglect assessments;
- The notification and involvement of the child protection agency when a child is taken into protective custody and placement is required;
- The process for mutual decisionmaking;
- Confidentiality and the sharing of relevant and appropriate information; and
- Protection of child protective services staff.

Child Protection and the Juvenile and Family Court Systems

Juvenile and family courts play an integral role in protecting children who have been abused or neglected. Through federal and state/provincial statutes, state courts are required to oversee the protection of children, and assure that reasonable efforts and permanency planning requirements are met by the child protection agency. The state courts also must periodically review the case plans of and service delivery to children under their jurisdiction. To be effective, the courts needs to understand the dynamics of child abuse and neglect and the purpose of child protective services.

4.2 Role of Juvenile or Family Courts in Protecting Children

The child protection agency should work collaboratively with and recognize the responsibility of the juvenile or family courts for adjudicating cases of child abuse or neglect and for enforcing the legal rights of both children and parents.

Juvenile and family courts are special statutory courts that, among other duties,, adjudicate cases in which the child's need for protection by the state is at issue and protect the due process rights of all parties. These courts are protective in nature but judicial in function, bound by the rules of evidence, and inherently adversarial.

Juvenile and family courts:

- Assure that the legal and constitutional rights of both parents and children are duly considered and protected; (4.9)
- Are presided over by a judge who has received specialized training in child welfare and juvenile matters and is specially assigned to hear such cases regularly;
- Appoint specially trained guardians ad litem and/or court-appointed special advocates (CASA) to represent the best interests of the child; (4.9)
- Appoint an attorney for the parents, if they are unable to afford one;

- Assure that the same judge hears all judicial matters that relate to the same child, including emergency placement, adjudication and disposition, foster care review, custody, termination of parental rights, and status offenses;
- Coordinate proceedings with those in other courts that involve the child under the jurisdiction of the court and minimize the trauma to a child who is involved in multiple court actions; and
- Expedite custody and termination of parental rights hearings, where indicated, so that the child can gain permanency.

Depending on the organization of the court system, the court may also become involved with a family in which there are issues such as delinquency, status offenses, or domestic violence.

The child protection agency should advocate for cross-training with court personnel, including judges.

4.3 Use of the Juvenile or Family Court in Protecting Children

When parents do not provide their children with the care and protection essential for their safety, or when children are in danger from abuse or neglect, the child protection agency should initiate an action in the family or juvenile court to protect the children.

Parental rights may have to be limited, with the full benefit of due process of law, and to the extent and for the period of time necessary to provide protection to a child. (1.23, 1.24)

The decision by the child protection agency to use the court initially, or to otherwise seek a court hearing, should be made in consultation with the agency attorney and under the following circumstances:

- The child is neglected, abused, or exploited, and is in need of court protection because of the parent's action or failure to act, and the risk to the child's safety warrants the protection of the court.

- The child must be removed from the home for emergency care or for care away from the parents because of conditions clearly dangerous to the child's physical or emotional health, and the parents are unable or unwilling to use the help offered to change the situation.
- The child's parents are unable to discharge their responsibility for the child because of incarceration, hospitalization, or physical or mental incapacity, adequate family supports are not available to protect the child, and a voluntary placement with kin is not possible.
- The child has been abandoned and needs the protection of the court.
- There is evidence of a pattern of abuse or neglect, and although each incident in and of itself is not serious, the accumulation of harm warrants court intervention. The child protection agency should ensure that the court understands the potential impact of chronic abuse or neglect on the physical and emotional health of the child.
- A judicial review of the legal status or placement of the child is necessary.
- Some evidence suggests abuse or neglect, but the agency is denied access to the home, child, or other relevant sources of information, and law enforcement has been unable to assist the agency in gaining access. (4.8)

If the court finds sufficient evidence to assume jurisdiction over the child, it should consider the following questions:

- Should the child remain at home, with certain actions mandated to be taken by the parents and the agency? (1.22)
- Should the child remain at home, and the individual responsible for the maltreatment be ordered to vacate the home? (1.23)
- Has the agency made reasonable efforts to provide in-home services to the family? Was the agency unable

to make reasonable efforts because of the circumstances of the family? (1.24)

- Is placement necessary? Was the placement made in the least restrictive manner consistent with the needs of the child and taking into consideration keeping siblings together, use of relatives and other kin, proximity to parents, practicality of visitation, and ethnic, racial, and religious issues? (1.29)
- Has the agency made reasonable efforts to reunite the family after the child has been removed, or sought a permanent placement for the child pursuant to a written agency case plan? (1.30, 1.31)
- Is the case plan developed by the child protective services agency, family, and other community agencies appropriate and likely to result in permanence for the child? (1.25, 2.5)

4.4 Use of Legal Counsel in Juvenile and Family Court

The child protection agency should be represented by legal counsel in court proceedings, and should inform the court regarding the need for appointment of counsel for the parents and for the protection of the child's best interests.

The role played by legal counsel will depend on who they represent and the type of hearing being held. Legal counsel will generally represent the state, the parents, and the best interests of the child. Although juvenile and family court hearings may be less formal than criminal hearings, the legal rights of all parties should still be protected. Juvenile and family court hearings can become contentious and the availability of legal counsel will allow all parties to protect their legal interests and minimize the potential for appeal. The appointment of counsel for parents who can not afford an attorney will provide them with legal protection throughout the court process. The child's interest must be represented by legal counsel or a court-appointed special advocate (CASA) or both. The state may be represented by the county attorney (county prosecutor) or the counsel for the child protective services agency, depending on the state statutes and rules. (4.8, 4.9, 4.16)

4.5 Initiation of Juvenile or Family Court Action

The child protection agency and other community agencies who are allowed by statute to petition the court on behalf of a child should act swiftly to initiate juvenile or family court action when court jurisdiction is required. (1.15, 1.23, 1.24)

The child protection agency or other community agency should provide the court with all relevant information that it will need to make its decision regarding taking jurisdiction and ordering services to protect the safety and well-being of the child.

Protective Custody

In the event that the child must be protected before a formal hearing can be held, an initial hearing should be held within the time frames required by state/provincial statute. The agency should request protective custody only when waiting for a formal court order to be issued would result in the child being left in a life-threatening or harmful situation. A child may be taken into protective custody by law enforcement personnel, by the court, and in some states, by physicians. (4.1) A petition for court jurisdiction should be submitted at the time of the initial hearing.

The Petition

In filing a petition, the agency is requesting the protection of the state for a child and sets forth the facts supporting the basis for juvenile court involvement. The petition should contain specific and pertinent information regarding the child and family to help the court to determine whether it should take jurisdiction and to allow a decision to be reached as to whether the facts alleged in the petition can be proven.

Adjudicatory Hearing

An adjudicatory hearing is held to determine whether a child has been abused or neglected and if the court has jurisdiction. If protective custody of the child was taken, the adjudicatory hearing should be held in a timely manner, usually within three days of the removal of the child from his or her parents, or as required under state or provincial law.

In the adjudicatory hearing, rules of evidence are rigidly observed. The agency should be represented by an attorney and have access to an attorney while preparing for an adjudicatory hearing. (4.8)

Dispositional Hearing

The court holds a dispositional hearing to decide what action should be taken after the adjudicatory hearing. In the dispositional hearing, all relevant material and information, as well as the case plan that the agency believes will ensure the best care of the child, should be offered as an aid to the court in making its decision. Based on the information provided by all parties, the court should determine whether continued involvement of the court is warranted.

In the dispositional hearing, the rules of evidence are relaxed. The social worker should be prepared to explain to the court what services and placement options are recommended for the child.

In preparing for or testifying at an adjudicatory or dispositional hearing, the social worker should:

- Present all relevant information to the court;
- Review the record prior to the hearing, consult with the agency attorney, and testify objectively as to the facts of the petition and the need for court jurisdiction;
- Inform the family in advance of the social worker's recommendation to the court; (2.6)
- Prepare the child, depending on his or her age and developmental level, for what will happen in the hearing; (2.7) and
- In seeking an out-of-home placement for a child, present to the court the reasonable efforts made to avoid unnecessary placement, and the facts to justify a court order for such a placement. (1.25, 2.5)

The child protection agency should work with the court for the benefit of the child before, during, and after adjudication. Both the court and the agency should be clear about their respective responsibilities in each situation. The agency must follow any court order, or seek modification by review or appeal. (4.6)

4.6 Ongoing Management of Juvenile or Family Court Actions

If the court has jurisdiction over a child, the child protection agency should periodically review the family's progress towards meeting the expectations of the court and provide information on the family's progress to the court.

The timing of the agency's reviews is set by statute or court rule.

Between the time of the dispositional hearing and the final resolution of the case, the child protection agency should:

- Provide periodic reports to the court, subject to court rules, that describe the progress of the child and family and recommendations for further action on the part of the court; (2.6)
- Be prepared to participate in periodic hearings, in accordance with judicial requirements and sound practice;
- Assist the child in understanding the court process and prepare him or her for each court hearing; (2.7)
- Communicate the agency's recommendations to the family prior to any court hearing; (2.6)
- Communicate the agency's recommendations to the guardian ad litem, court-appointed special advocate, and community agencies that may be involved in the court process or providing services to the family, while recognizing the privacy and confidentiality rights of the child and family; (2.12, 2.13, 2.15, 3.12, 4.8) and
- Determine if the court should be petitioned to terminate the parental rights of the parents or to grant legal guardianship to a relative, other kin, or foster parent. (1.29, 1.30, 1.31)

4.7 The Role of the Social Worker in the Juvenile or Family Court Process

The child protective services social worker should provide to the court factual information about the child and family on which the court can base its decisions.

Typically, the social worker has had the most contact with the family and, therefore, is in the best position to describe the safety and well-being needs of the child to the court. The role the social worker plays in the court hearing will depend on the type of hearing and the expectations of the court, the expectations of the agency, and the nature of the worker's recommendations to the court. (1.15, 2.6)

The social worker who will be testifying in court should consult with legal counsel before appearing in court. (4.8) He or she should:

- Be familiar with the court procedure, the process of testifying, the responsibility that comes with qualifying as an expert, and the importance of responding to questions in cross-examination;
- Have a clear understanding of the Child Abuse Prevention and Treatment Act (as amended by P.L. 104–235), the Indian Child Welfare Act (P.L. 105–608), the Adoption Assistance and Child Welfare Act of 1980 (P.L. 96–272), and the Adoption and Safe Families Act of 1997 (P.L. 105–89), particularly the provisions relating to reasonable efforts to prevent placement and to reunite families;
- Be familiar with state and provincial statutes and case law regarding testifying, confidentiality, and the sharing of case record material; and
- Dress and conduct himself or herself in an objective, professional manner while in court and while testifying.

4.8 Legal Counsel for Agency Staff

The child protection agency should have access to legal counsel, and its staff should routinely consult with legal counsel before initiating any court action or appearing in court.

The agency's legal counsel should be competent and experienced in child abuse and neglect litigation.

The agency should assure that the social worker has access to legal counsel:

- For consultation during the assessment, when needed; (1.14)

- In deciding whether to file a petition for court protection of a child;
- When preparing to testify, especially if the hearing will be contested;
- When preparing reports to the court or responding to requests from the court;
- In preparing the child or other witnesses for testimony; (4.10, 4.12)
- In preparing for and participating in termination of parental rights and adoption hearings; (1.31)
- When drafting and getting signed voluntary relinquishment documents; and
- In deciding whether the court's decision should be appealed by the agency.

If a decision is made to initiate court action, the petition should be drafted by an attorney. (4.4)

If the social worker has been sued while carrying out his/her official duties, the agency should assume responsibility for the representation of the social worker by legal counsel in such situations. (5.29)

4.9 Working with Guardians ad Litem, Court-Appointed Special Advocates, Attorneys for the Parents, and Victim Advocates

The child protection agency should recognize the need for all children in court to be independently represented by a trained court-appointed attorney and/or a trained court-appointed special advocate (lay guardian ad litem).

Guardians ad litem and court-appointed special advocates are charged with representing the best interests of the child. Therefore, they do not necessarily follow the instructions of their client (the child). The child may also be assigned a victim advocate who will be an advocate for the child throughout a criminal trial. (4.4)

Parents whose rights are in issue or who are alleged to have been involved in the abuse or neglect should be represented in court by an attorney. If they are financially unable to retain counsel, the court should appoint counsel to serve at public expense.

The child protective services social worker should:

- Understand the role of each of these advocates and regularly communicate with them during the court process;
- Consult with legal counsel prior to sharing information with the attorney for the parent; (4.8)
- Know how to obtain information from the various attorneys and advocates involved in the court process; and
- Assist the attorney or advocate, as appropriate, in contacting and communicating with the child and the family. (2.6, 2.7)

The child protection agency should provide or should work with other community resources to provide regular cross-system training of child protective services staff, guardians ad litem, and court-appointed special advocates. At a minimum, this training should focus on the importance of safety, family connections, and permanency for children; the dynamics of child abuse and neglect; the roles and responsibilities of each partner; communication skills; and minimizing the trauma of court proceedings on the child.

4.10 Helping the Child to Understand the Court Process

The social worker should work closely with other professionals to prepare the child for court hearings and to reduce the trauma of the court process for a child. (2.6, 2.7, 4.11)

Generally, children do not understand the court process and are anxious about having to attend and testify. It is critical that the child feel as comfortable as possible during this time and that he or she is prepared to tell the truth.

Social workers can take the following steps to help children prepare for testifying in court.

- The social worker or a professional identified by the agency should explain to the child, in language that the child will understand, what is being recommended by the agency, and should help the child to discuss his or her reactions and feelings.

- Some aspects of a court case may be emotionally difficult for the child. The social worker or professional should alert the child's legal counsel to circumstances where the child should be excused from the court hearing or special arrangements for testimony should be made. In certain situations, the judge may decide to hold a private interview with the child to obtain information pertinent to the proceedings. The agency should be aware of situations where it may be appropriate to have the child's testimony given through the use of closed-circuit television, videotape, and/or special hearsay exceptions.
- The social worker or other professional should work with the child and his or her representatives to assure that the child tells the truth in court. The child may want to recant previous statements related to the abuse or neglect. The social worker can prepare for this by having evidence to show that the abuse or neglect did occur and an explanation as to why the child may now be recanting.
- The child should be allowed to visit in and become familiar with the courtroom prior to a hearing.
- Games, videos, or other interactive tools can prepare the child for the court experience, so long as these tools are not used to influence the child's testimony.

4.11 Helping Parents and Family Members to Understand the Court Process

The child protection agency should inform the parents of each step of the judicial process through personal interviews or by letter, in the parents' own language or through an interpreter when necessary, whether or not the parents have been willing to work with the agency. (2.6, 2.7, 4.10)

The social worker should:

- Continue to work with the parents even though an action in juvenile court has been initiated. The social worker should be aware that the attorney(s) for the parents may advise them not to talk with the social worker.

- Give the parents written information that describes the judicial process in which they will be participating. The information should make parents aware of their rights in the court process, such as the right to be represented by legal counsel, to testify on behalf of themselves and their children, and to call witnesses.
- Make the parents aware of the seriousness of the various factors that constitute abuse or neglect, as well as the responsibility of the community to protect its children from serious harm due to abuse or neglect.
- Recognize the parent's feelings and reaction to the recommendation of the agency, provide support to the family, and help the family members to deal with their feelings throughout the court process.
- Help the family to discuss what the court hearing means to them before, during, and after it. This may facilitate their acceptance of services and help them to work constructively on their problems. Many parents are afraid of appearing in court and fear they will be punished. Others may fear the consequences on their safety and the safety of family members of information released in court. The worker can provide reassurance and assist family members in accepting the help they need as a result of the initiation of court proceedings.
- Make clear to the parents, in advance if possible, why the agency has referred the family to the juvenile or family court.
- Assist the parents to obtain counsel or to request that the court assign counsel for them.
- Advise parents in their own language of the terms of the court order, and of their responsibilities and expected participation in the case plan. The case plan should be aimed at achieving permanency for the child as rapidly as appropriate.

If the court should order the child's placement into out-of-home care, the social worker should

- Contact all known noncustodial parents, relatives, and nonrelated individuals suggested by the parents

to determine if they may be able to provide safe temporary care. (3.6, 4.21)

- Encourage the parents to participate in the preparation of their child for placement, if that is the order of the court, and in the child's adjustment to out-of-home care. The parents' participation is important to the child in adjusting to the out-of-home care experience;
- Encourage frequent visiting between the parents and their child in care. If the agency is aware of any special circumstances that require it, supervised visiting should be recommended to the court. Otherwise, visiting should be encouraged and facilitated unless clearly contrary to the best interests of the child.

4.12 Working with Witnesses

The social worker should understand the purpose of each witness in the court process and be prepared to respond to issues that he or she has knowledge of related to the witness.

Professionals or other individuals who have information pertinent to the hearing may be asked to testify at juvenile or family court hearings. These individuals may be identified by the child protection agency, the parents, or the guardian ad litem.

The child protection agency may suggest the use of a witness who is an expert to inform the court or to counter the use of expert witnesses by the other party.

A professional who is accepted by the court as an expert is allowed to draw conclusions from the facts presented within the court hearing and to testify to the general body of knowledge concerning child abuse or neglect.

If the child protection agency requests that certain individuals be called as witnesses, the social worker and the agency's legal counsel should:

- Identify and prepare the witnesses for court appearances. Legal counsel should help witnesses organize their testimony concisely and accurately without bi-

asing it. Since witnesses may wish to withdraw, special attention should be given to helping them understand the importance of their testimony in protecting the child.

- Request that the court schedule the testimony of witnesses so as to minimize the disruption to their personal and professional obligations.
- Contact the witnesses the day of the hearing to ensure that they remember the time and place of the hearing. If the hearing is continued (postponed), the witnesses should immediately be contacted.
- Make the court aware, in advance of the hearing, of any special needs of the witnesses, such as the need for an interpreter, video equipment, etc.

Child Protection and the Criminal and Civil Court Systems

4.13 The Role of the Criminal Court in Protecting Children

When a child has been physically injured or sexually assaulted, or other crimes against the child have been committed, the child protection agency should seek the assistance of the criminal justice system.

The philosophy of child protective services is to offer social services while protecting children. The criminal court is charged with adjudicating whether individuals have committed criminal violations against children. It holds individuals legally responsible for their actions and protects children from further abuse or neglect.

4.14 The Use of the Criminal Court in Protecting Children

When a conviction or plea is obtained from a defendant in a criminal court proceeding for actions against a child, the child protection agency should assist the court in arriving at a sentence that serves the interest of justice and results in appropriate treatment for the offender.

The incarceration of an individual may be necessary for his

or her rehabilitation or for the protection of the child and the community.

The criminal court may also be used to prosecute domestic violence offenders as a means of protecting the child.

4.15 Initiating Criminal Court Action

Child protective services social workers should have a clear understanding of the types of reports suitable for referral for criminal action.

Situations where a law enforcement investigation finds probable cause to believe that there has been a criminal violation committed with intent, and situations defined in state/provincial statute or interagency agreements should be referred to the criminal court system. In most situations, the referral for prosecution will be made by law enforcement officials who were involved in the investigation of the report of child abuse and neglect. (4.1)

The social worker should:

- Share with law enforcement officials information and evidence collected during the assessment that may assist them in deciding to request that charges be filed.
- Be aware of any statutes or policies that mandate the referral of an alleged abuser to the prosecutor.
- Follow agency policies on contacting the prosecutor if the law enforcement agency declines to file a request for prosecution that the child protection agency believes is warranted. If the law enforcement agency refuses to file a request with the prosecutor, the child protection agency's attorney should have the authority to file this request.
- Encourage family members or others who may have information pertinent to the criminal violation to discuss this information with law enforcement.

4.16 Working with the Prosecutor

The child protection agency should develop a written agreement with the prosecutor's office and with the law enforcement

agency related to the criminal investigation of child abuse and neglect reports and the sharing of the findings.

The prosecutor is the chief law enforcement officer in any jurisdiction and is responsible for making the decision as to whether an individual should be charged with a criminal offense. It is the prosecutor's responsibility to review the evidence gathered during the law enforcement investigation and assess whether there is sufficient evidence that a crime was committed.

The social worker should work with the prosecutor to:

- Coordinate, to the extent possible, criminal court action with juvenile or family court actions; (4.13, 4.14)
- Provide any information allowed by law that may assist the prosecutor in determining if charges should be filed;
- Prepare the child to testify in deposition or court;
- Develop a plan for the child to visit a parent who is incarcerated, if appropriate, during the adjudication process;
- Cooperate in the prosecution of mandated reporters who knowingly fail to file reports of child abuse or neglect, as well as in the prosecution of individuals who make malicious child abuse or neglect reports; (1.11) and
- Ensure that victim advocacy services are provided to the child and any other abused family member, if needed.

4.17 The Multidisciplinary Development of a Prosecution Data Tracking System

The child protection agency, law enforcement agency, prosecutor's office, and judicial system should develop and maintain a comprehensive and easily accessible computerized prosecution data tracking system for cross-systems data collection and evaluation.

The multidisciplinary collaboration on and coordination of data related to the prosecution of child abuse and neglect provides states and counties with a clear picture of how children are protected through the criminal justice system.

At a minimum, the system developed should capture information related to:

- The involvement of law enforcement in the investigation of child abuse and neglect;
- The finding of child abuse and neglect by the child protection agency;
- The referral of child abuse and neglect to the prosecutor for consideration of filing criminal charges;
- The action taken by the prosecutor related to the referral; and
- The outcome of any prosecution, including convictions, pleas, acquittals, and sentences.

The data system should include sufficient information (including demographic information on victims, offenders, and families) to allow for periodic evaluation of the use of criminal adjudication in child abuse and neglect cases.

4.18 Use of the Domestic Relations Court in Protecting Children

The child protection agency should develop a working agreement with the domestic relations court related to the handling of child abuse and neglect allegations made in the context of divorce-related custody or visiting disputes.

When there is an allegation of child abuse or neglect made in the context of a divorce-related custody or visiting dispute, the domestic relations court should make a referral to the child protection agency if appropriate.

When there is no reasonable suspicion of child abuse or neglect, a referral by the court is inappropriate.

In no instance should the child protection agency refuse to accept a referral for investigation because the abuse or neglect is being alleged in the context of a custody or visitation dispute. The social worker may want to explore with the court options such as obtaining mediation services for parents in a divorce-related custody or visiting dispute.

The domestic relations court may have the authority to issue an *ex-parte* order to limit the contact of the child or family by the person alleged to be responsible for the child abuse or neglect.

4.19 Use of Criminal or Civil Courts in Domestic Violence Situations

The child protective services staff should consider the use of the criminal or civil court in situations involving domestic violence as a means to protect a battered parent and abused or neglected child.

Safety and confidentiality should be the primary considerations when working with the victims of domestic violence. While prosecution of the offender in criminal court may be pursued, the social worker should be aware of other options for protection of the battered parent and abused or neglected child, and which court has the authority to order such protections.

The criminal or civil court, or both, may have the authority to:

- Prohibit the offender from contact with the family;
- Remove the offender from the home; (1.24) and
- Require the offender's attendance at a batterer's treatment program.

4.20 Managing Multiple Court Actions

The child protection agency and the social worker should assist the family and the child in understanding the purpose of multiple court actions.

In some situations, the child and family may be involved in proceedings under the jurisdiction of two or more courts at the same time. This can be confusing to the child and family and result in unnecessary trauma if the hearings are not coordinated and if the child and family are not fully prepared.

When there are multiple court actions occurring, the social worker should:

- Make sure that the child understands the difference among the courts and is prepared for all court actions; (2.7, 4.10)
- Help the family to understand the purpose of each court action; (4.11)

- Keep professionals working with the family advised as to the progress of each court action; (2.12)
- Collaborate with and encourage communication among the court personnel involved in each court action;
- Work with other persons involved in the court process to coordinate hearings and court orders (e.g., visiting schedules, no-contact orders); and
- Attend each court action that affects the child.

4.21 Court Actions Involving American Indian Children and Their Families*

The child protection agency should work collaboratively with the state court, the tribal court, the parents, and the tribal custodian, when one is appointed, to make decisions that are in the best interest of the child and family. (3.6)

In the United States, the Indian Child Welfare Act of 1978 (ICWA) (P.L. 95–608) was passed "to protect the best interests of the Indian child and promote the stability and security of Indian tribes and families." ICWA's purpose is to place jurisdiction with the appropriate tribes, wherever possible, in child custody proceedings involving the foster care placement, adoptive and preadoptive placement, or termination of parental rights, of Indian children.

The child protection agency should have in place procedures for identifying any Indian child who may be covered by the provisions of the Act. It should immediately contact and involve the tribe in child protection decisions related to the purposes of the Act. ICWA provides that all members of a federally recognized tribe are covered by the provisions of the Act and calls for timely notification of tribes so that a child's tribal membership and the jurisdiction of the tribe can be determined. The child protection agency should work with the state court to assure that notification, via registered mail, is sent, and that the tribe or Indian custodian is involved in decisions related to the care of the child.

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* Laws pertaining to child welfare provisions for Canadian First Nations may vary from those in the United States.

The child protective services agency and its legal counsel should be thoroughly versed in tribal codes, federal regulations, and, where, applicable, state statutes governing Indian child welfare.

If a tribal court has or receives jurisdiction, tribal codes (written or unwritten) or federal regulations, in the event the tribe does not have such codes, will direct the proceedings.

ICWA also regulates Indian child custody proceedings that remain in state courts by establishing certain safeguards. If it is decided that jurisdiction will remain with the state court, the tribe has the right to be a party to the proceedings, to appoint an Indian custodian, and to examine all reports and testimony on which the court's decision is based.

The state court and the child protection agency should involve the tribe or the Indian custodian in all placement decisions

If foster care or termination of parental rights is ordered, ICWA mandates that special consideration be given to placement of the child with extended family, with another member of the tribe, or with other qualified Indian families.

4.22 Child Protective Services' Role in Working with Probation and Parole

The child protection agency should develop and maintain a written agreement with the probation and parole office to establish a means of formal communication between the agencies.

The state or county probation and parole office can play an integral role in assisting child protective services in tracking offenders, assuring that offenders follow the order of the court, and protecting children from future abuse or neglect.

Depending on the sentence of the court, the offender may be incarcerated or placed on probation. In addition, the offender may be ordered to receive treatment as part of his or her sentence.

5

Organization and Administration of Child Protective Services*

Goals:

I. The child protection agency's policy, procedures, and practices reflect its mission, purpose, and legal mandate.

II. The child protection agency identifies outcomes and develops, maintains, and updates policies and procedures that direct the social work process with families.

III. The child protection agency hires and retains competent, qualified, committed, culturally representative staff.

IV. The child protective services staff have the resources, training, education, workload, and administrative support needed to help families and the agency meet desired outcomes.

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* Agencies and individuals using this chapter should also review CWLA's *Standards of Excellence for the Management and Governance of Child Welfare Organizations* [CWLA 1996].

V. The child protection agency's management information system captures the information needed to support daily operations in child protection, service delivery, program evaluation, fiscal management, and community collaboration.

VI. The information captured by the child protection agency is used to improve service delivery, evaluate program effectiveness, and advocate for sufficient staff and fiscal resources.

VII. The child protection agency protects the privacy rights of families and all family members and prevents unauthorized access to information.

VIII. The child protection agency works to establish and maintain an open and ongoing collaboration with the community and key community stakeholders.

The child protection agency's administrative structure provides the framework for the effective delivery of services to children and families. The agency should have a clearly defined mission that is articulated to the community; a service delivery system designed to achieve desired outcomes for children and families, and clear roles and responsibilities for its staff. Written policies and procedures should support the agency's mission and purpose, and provide criteria for conducting and assigning work and monitoring staff performance. Finally, the agency must provide financial resources that are appropriately allocated to programs, staffing, training, etc., to meet the agency's desired outcomes.

The agency's support of its staff is critical to the provision of services in a manner that recognize the strengths within individuals and families. The agency must demonstrate a commitment to its staff and provide them with adequate compensation, skill development opportunities, and a supportive working environment.

As communities and public child protection agencies develop strong partnerships for child protection, the administrative structures and functions of both the public and community agencies need to reflect a collaborative approach to child protection. Public child protection agencies, in collaboration with community service providers and others, must develop a common vision and the administrative flex-

ibility to support community partnerships and mutual decisionmaking, and to work together in ensuring the safety and well-being of children and families.

Agency Governance

The governance structure for public child protection agencies often differs from that of private or local community agencies. Each jurisdiction should develop a governance structure that promotes the safety and well-being of children, builds on the strengths of families, and supports the staff that it employs.

5.1 State or Provincial Governance

The child protection agency should operate within its legislated or statutory framework to effectively serve families and children within the context of a community partnership.

Statutes should provide for the protection of children by the agency and its partners, including law enforcement and the courts.

The governor or appropriate elected official of the state or province should appoint child protective services leaders who will advocate for the needs of children and families who come to the attention of the child protection agency. The agency's leadership should believe in and promote the mission and goals of child protective services.

Child protective services may be either directly administered or supervised by state or provincial governments.

- In state-administered systems, local services are provided and supervised through the state agency.
- In state-supervised systems, local public agencies are generally responsible for providing child protective services.

State and provincial legislative actions influence the delivery of services. In recent years, some states have enacted legislation allowing child protection agencies greater flexibility in responding to child abuse and neglect reports (e.g., some state agencies now contract with private agencies to

conduct the initial assessment of families considered to be at "low risk"). In addition, many states have passed or are considering legislation that provides for a differential response to reports of child abuse and neglect.

States and provinces should allow child protection agencies flexibility in responding to reports of child abuse and neglect, while ensuring that the agencies (or their contractors) respond to all appropriate reports and assure that children are safe and that families are provided with the services they need. (1.19, 1.20)

Legislative and executive bodies should appropriate adequate resources for direct and contracted services to prevent and remedy child abuse and neglect. When funds are appropriated, agencies should be given flexibility in their use to respond to the specific needs of children and families.

The legislature should recognize and support the ancillary services necessary to ameliorate family issues that may lead to child abuse or neglect (e.g., mental health, substance abuse, domestic violence, poverty).

The governor and the legislature should work with the agency to respond to concerns expressed about the agency. The agency should help all parties understand the general goals and responsibilities of the agency, in addition to those raised in specific situations.

5.2 Local Public and Private Governing Boards

The governing board of a public or private agency providing services to abused and neglected children and their families should share with the agency the responsibility for developing policies and for assuring the adequate financing and staffing of child protective services.

Most public agencies do not have a governing board in the traditional sense. State and local elected officials *de facto* serve in that capacity, along with the appointed executive branch authority.

Governing boards should:

- Be convinced of the importance of child protective services;

- Assure that the agency discharges its mission as authorized under law or charter;
- Assist in the development of policies and procedures necessary for the agency to discharge its functions; (5.7)
- Provide a clear mission and strategic plan for the agency and a clear understanding of its role and that of the agency, and the partnership the board shares with the staff; (5.4)
- Be accountable to the community it represents, whether its responsibility stems from law or charter;
- Advocate for the needs of the children and families who require the agency's services;
- Recognize and respond to the cultural and ethnic diversity within the community; and
- Evaluate the agency and its programs in relation to changing community needs. (5.19)

5.3 Advisory Structures

Public agencies that do not have a governing board should maintain an advisory board or another structure that allows for and encourages community input. (5.25)

The advisory board should:

- Be well-informed about the purpose of the agency and the families it serves;
- Make recommendations to the administrative authority, on a regular and formal basis, that support the agency's ability to accomplish its mission;
- Be representative of the community, including families and the agencies that provide services to those families;
- Interpret the agency's mission and purpose to the community;
- Assist the agency in developing staff and programmatic resources that are culturally representative of the community; and
- Act as an advocate for the agency to assure the availability and receipt of sufficient resources to address

the needs of the children and families served by the agency.

A local public or private agency that *has* a governing board should also identify individuals to act in an advisory capacity to supplement the governing board and assure feedback and recommendations from the community.

Organizing and Delivering Child Protective Services

5.4 Articulating the Agency's Mission and Purpose

The child protection agency should articulate, in writing, the agency's purpose and mission.

Staff should be involved in the initial development and subsequent revisions of the mission statement.

The mission statement should:

- Define the purpose and goals of the agency in a manner clear to all who may read it;
- Be concise;
- Reflect the importance of healthy children, families, and communities; and
- Define child safety and permanency, as these are the primary purposes of child protection;

The completed mission statement should be shared with agency staff, community partners, and the public. Periodically, the agency and its governing body should review the mission statement's content and refine it, as necessary, to accurately reflect current challenges and expectations.

5.5 Identifying Desired Family and System Outcomes

To document success in meeting its goals and to be accountable to the community, the child protection agency should define and evaluate family and system outcomes.

The agency's focus should be on results, performance, and outcomes (i.e., child safety, permanence, child and family well-being), rather than simply on process and compliance. The agency should seek outcomes that are performance based and measurable. (5.20)

In identifying and evaluating outcomes, the agency should:

- Identify outcomes and indicators that reflect the mission and goals of the agency.
- Identify both short-term (or interim) and long-term outcomes and indicators.
- Identify outcomes that are desirable for the child and family as well as for the system. The agency should not assume that overall agency outcomes (e.g., reducing the use of out-of-home care) are necessarily desirable or appropriate for every child and family.
- Limit its focus to those outcomes that are most important to the agency's mission and goals. Attempting to focus on too many outcomes may complicate the collection of information and result in conflicting or inaccurate findings.
- Define the indicators and measurements it will use for determining outcomes.
- Involve its staff and community partners in identifying outcomes and establishing a consensus on measurements. Families should be involved in the identification of outcomes for themselves and their child. (2.6)
- Identify and implement the programs, processes, and operations that will help the agency to meet the desired outcomes.
- Assure that data, family records, and other sources of information will provide the agency with sufficient information to measure outcomes.
- Develop and use a select number of reliable and valid family outcome measurement tools.
- Include a plan for data analysis and interpretation of the findings.

5.6 Establishing Roles in Agency Service Delivery

The roles of the child protection agency and its community partners in delivering services and in monitoring the services delivered should be clearly defined in writing.

Service delivery may be provided by the child protection agency or by contracted/voluntary community partners. The

staff's role should be defined based on the needs of the families served and the availability of other supports within the community.

In establishing roles, the agency should consider:

- The qualifications and competencies of the staff members who are available to deliver the service;
- The relationship of the individual or agency to the family or child;
- Timeliness in delivering services to the child or family;
- The family's and children's culture and ethnicity; and
- Who will be the case manager if several individuals will be delivering services.

Supervision requirements should be based on who has the responsibility for the staff who deliver the service, unless there is a formal agreement for supervision by another agency.

When child protective services are needed, the child protection agency's role may become more formalized, especially if there is a court order requiring the agency's continued involvement with the child or family. An agency that provides services directly to a family may find its role to be more directive and intensive than it would be if it made a referral to a community partner.

Even if services are not provided directly by the child protection agency, it may still need to be available for follow-up with the family and the community partner.

5.7 Developing and Maintaining Policies and Procedures

The child protection agency should develop and maintain written policies and procedures that provide its staff and community members with important information about the agency's philosophy, mission, purpose, practice expectations, and organizational structure.

Policies and procedures assist staff in the delivery of services and case practice decisionmaking.

The agency's policies and procedures should:

- Operationalize legal and regulatory requirements, while still recognizing the need for professional judgment and flexibility;
- Be developed through a strategic, planned process within the overall mission and goals of the agency;
- Reflect good social work practice; (2.1)
- Encompass the agency's programs and services;
- Allow for input by community partners and staff within the agency;
- Provide staff with a clear statement of their roles and responsibilities; (2.3)
- Be provided to each staff member through the development of a manual and other written communication process; (5.8)
- Be written in a consistent format and made available to all community partners;
- Be regularly reviewed and updated based on new research findings, sound practice considerations, legislative action, and program changes; (5.18)
- Be based on desired outcomes for families and children; (5.5) and
- Reflect the realities of the resources available to the agency and the community. (5.11)

5.8 Developing and Using the Agency Manual

The agency should incorporate its legal responsibilities, policies and procedures, sound practice expectations, description of available services, supervisory responsibilities, and other information important to its staff and community partners into an agency manual. (5.7)

The agency should:

- Provide a copy of the manual to each staff member for ready use. The manual should emphasize the importance of consistent practice and lead staff to make good case practice decisions. (2.4)

- Organize the manual according to the stages of casework process and include a system for timely updating and distribution of new policies.
- Incorporate into the manual the roles and responsibilities of other partners in the community, with an emphasis on team decisionmaking. (2.11, 3.13)
- Integrate the manual with other information systems developed by the agency. The agency should place the manual in its information system so that revisions can be immediately distributed. (5.13)
- Include in the manual all tools and forms used by staff and families in the provision of child protective services;
- Design the manual so that staff can easily remove portions of it to share with families, children, and community partners.
- Include supervisory expectations in the manual. (2.3)
- Ensure that the manual is consistent with others it has or may develop.

Staffing

5.9 Determining Workload/Caseload Standards

Workload standards developed for child protective services staff should be based on the tasks and activities expected within the child protection agency.

Workload standards should be established that make it possible for staff members to complete required tasks and activities. Once workload standards are established, the agency should advocate aggressively for the resources needed to meet those standards.

Agencies that adopt a community approach to protecting children will need to rethink the roles and duties of their staff members and to reflect those changes in their workload standards.

Workload Standards

In developing agency workload standards, the agency should consider:

- The specific assigned functions and the time required for each task (e.g., intake, assessment/investigation, placement services, court activities, community development, provision of services);
- The competencies needed for each social work function (knowledge, skills, experience);
- The time required for travel and other necessary but noncasework tasks;
- Standards of sound practice;
- The availability of paraprofessionals and professionals from other services to help with routine activities (e.g., foster families, in-home aides);
- The intensity of services that the agency and community considers appropriate;
- The number of other agencies, individuals, or services involved with the family and the amount of time needed to communicate effectively with other community partners;
- The amount of time needed for community outreach or other activities not tied to a specific family; and
- The amount of time allocated for activities such as staff meetings, training and development, administrative functions, and personal leave.

Caseload Standards

Every agency should conduct a workload analysis to determine the appropriate workload standards for its child protective services staff. Until an agency conducts such an analysis, the following caseload standards should be used:

- Initial assessments should involve no more than 12 active reports per month.
- Ongoing services to families opened for services and support after the assessment should involve no more

than 17 active families, assuming the rate of new families assigned is no more than one for every six open families.

- Combined initial assessments and ongoing services to families should be no more than ten active ongoing families and no more than four active initial assessments.
- The workload of staff responsible for screening reports of abuse and neglect should be considered separately and staff allocated specifically to this function.

Supervision in child protective services is critical to effective service delivery and staff and professional development. The ratio of social workers to supervisors should not exceed five to one.

5.10 Ensuring Competent and Sufficient Supports and Resources for Agency Staff

The child protection agency should provide its social workers with resources, support staff, case consultation opportunities, and supervision sufficient to assure that they are able to provide quality services and support families.

The safety and well-being of children and the ability of the agency to support families is dependent on social work staff having sufficient resources. The child protection agency should access federal, state/provincial, and local funding sources as needed.

Supervision by qualified and competent staff is critical to assure that social work staff provide quality services, engage families from a helping perspective, and follow agency policies and procedures.

Supports and resources for agency staff include, but are not limited to, the following:

- Trained and competent support staff (e.g., paraprofessionals, clerical, data system support); (5.37)
- Trained and competent consultants to assist staff with case practice, decisionmaking, and personal safety in the workplace; (2.15)

- Office and field equipment, accessible to all staff when needed, including computers, dictaphones, cellular phones, and pagers;
- Safe and available transportation provided by the agency or social worker, with appropriate reimbursement;
- Access to physical and mental wellness activities;
- Overtime compensation or compensatory time for staff working more than 40 hours in a seven-day period;
- Opportunities for staff development and continuing education; (5.42)
- Establishment of written assurances of liability protection for staff in the conduct of their duties; (5.29)
- Representation and consultation by legal counsel; (4.8) and
- Employee assistance programs.

The number of employees hired by the agency should be based on the overall agency workload and the specific duties expected of the staff.

5.11 Ensuring Adequate Resources for Serving Children and Families

The child protection agency should have in place a sound fiscal planning and allocation process to meet the safety and well-being needs of children, to support families, and to maximize its use of its resources.

The child protection agency should access federal, state, and local funding sources as needed. In allocating resources, the agency will likely rely on a combination of direct, contractual, and voluntary resources. Because the agency may not be able to control the amount of funding available and to assure that adequate resources are always available for children and families, the child protection agency should:

- Regularly document the need for resources (direct, contractual, and voluntary) through the collection of data on children, families, and the community. The agency should identify the total units of services

(available and unavailable) needed by the families it serves. The data should be used to identify the adequacy of current services and prepare an annual inventory of needs. (5.14)

- Advocate with federal and state/provincial legislative and executive bodies for the allocation of adequate resources.
- Facilitate, with its community partners, the development of a full range of services designed to protect children and support families, especially those services not available directly from the agency. (3.3, 3.5)
- Work with the community to develop voluntary support services that complement or supplement more formal resources. (3,4, 5.37, 5.38)
- Ensure that resources are managed wisely, utilized appropriately, accounted for properly, and monitored closely. (5.22)

Case Work and Management Information Systems

The child protection agency depends upon information to assist families and advocate for additional resources. Information may be collected from a variety of sources (e.g., the family, community partners, other organizations) through verbal discussions, written documents, and computer/electronic records.

The agency must be capable of incorporating, at the family and system level, the information it gathers. Without sufficient information that is easily accessed and analyzed, the agency will find it difficult to meet its mission and goals. The agency should use the most appropriate, cost-efficient, state-of-the-art technology and innovations to enhance the effectiveness and efficiency of its operations.

Information may be compiled in a variety of systems, including computer databases, paper records, staff case notes, and administrative records. The agency should establish policies that delineate the purpose, content, and allowable access to the information collected, regardless of the form in which that information is recorded.

5.12 Management Information System

The child protection agency should develop and maintain a comprehensive management information system (MIS) for gathering and analyzing data.

Data should be collected that assists the agency in strategic planning, service delivery, community development and needs identification, quality improvement, staff performance review, and staff evaluation.

The MIS system should be used for:

- Identifying recurring issues and unmet needs;
- Evaluating outcomes of the agency's interaction with families and the community; (5.19)
- Conducting quality assurance and improvement tasks; (5.20)
- Personnel tracking, including analysis of turnover rate, educational and experience levels, etc.; (5.21)
- Fiscal tracking and management;
- Identifying service delivery trends; (5.21)
- Maintaining service waiting lists;
- Improving communication among all staff working with a family (e.g., some families may be receiving child protective services and public assistance);
- Meeting federal and state reporting requirements; and
- Strategic planning.

Access to the management information system should be strictly controlled. Security measures should include those that support statutory requirements for record maintenance, those recommended by staff, and those recommended by a database security consultant. Each staff member having access to the management information system should have a unique identifier and should only be allowed access to that information needed for his or her job.

Agency systems that interface with other systems should have protections in place to restrict unauthorized access. The management information system should be periodically audited to ensure that it is secure. (5.17)

5.13 Compilation of Records on Children and Families

The child protection agency's family records should be concise, factually based, clearly written, targeted to the issues of child safety, permanence, and well-being, and behaviorally specific.

Records provide vital information that can be used by agency staff, families, and community partners.

Family records should include, but not necessarily be limited to:

- Identifying data on the child, family, significant others (including noncustodial parents), the source and reason for the referral, and the response of the agency to the referral; (1.13, 1.14)
- The outcome of the agency's assessment of the safety and well-being needs of the child, and the family's ability to respond to those needs; (1.15, 1.16)
- A continually updated service plan with behaviorally specific goals and a record of progress made toward meeting those goals; (1.25, 2.5, 2.13)
- Documentation of the agency's findings and reasons for significant decisions, including reasons for continued involvement with the family or for terminating services; (1.19, 2.4)
- Documentation of the case activities and their outcomes, including those of the social worker, the community partners, and the family, along with information about the family's interaction with (and response to) the agency and community partners;
- Information provided to the court and other protective services agencies related to the safety of the child; (4.1, 4.4, 4.5) and
- Documentation that the family members have been informed as to the agency's policy on the release of information from the record. (1.18, 1.21)

As appropriate, supervisory and administrative guidance to staff should be reflected in the record. This information should be written in a consistent format developed in collaboration with the staff. (2.3)

The format and standards for documentation in a family record should be such that the record will be acceptable in a court hearing. All documentation should be behaviorally objective and should distinguish between facts and impressions.

5.14 Computerized Recordkeeping

The child protective services agency should maintain a centralized computer information system that includes comprehensive information on children and families served by the agency.

Although a computerized recordkeeping system may not be able to replace all paper files, it should be used to capture as much information as necessary to meet the social work, supervisory, and administrative goals of the agency.

At a minimum, a computerized recordkeeping system should include the following components:

- Sufficient hardware to allow routine access by social workers, supervisors, and administrative staff;
- Software tools to assist staff in assessment, case planning, and improving practice, and to simplify the process of case documentation; and
- An interface mechanism to other public and private agencies providing services to families brought to the attention of the agency.

The computerized records should be designed to allow the compilation of:

- Information to answer general inquiries from the public related to the incidence of abuse and neglect, to inform public policymaking and legislation, and to obtain adequate resources for children and families;
- Information necessary to comply with the requirements of the Statewide Automated Child Welfare Information System (SACWIS), National Child Abuse and Neglect Data System (NCANDS), and Adoption and Foster Care Automated Reporting System (AFCARS); and
- Information to facilitate agency planning (e.g., characteristics of reported families, response of the agency

and community to families, outcomes of the agency and community intervention).

Computerized records should also be used to enhance the agency's ability to monitor compliance with legal mandates and with its own policies and procedures.

5.15 Purpose and Use of a Central Registry

All states and provinces should maintain a centralized information system (known in some states as a Central Registry) that collects information on individuals who have been found to have abused or neglected children.

Maintenance of and access to the centralized information system should be based on state or provincial laws. At a minimum, the information should be accessible to child protective services staff, other public child welfare staff, law enforcement agencies, courts, and child fatality review panels. The Central Registry can assist child protection agencies and other community partners in identifying and tracking individuals who pose a potential risk to the safety and well-being of children.

The Central Registry should contain identifying information on the individual who committed the abuse and neglect. Each state should develop statutes and regulations that establish who should be placed in its registry, limits on the use of registry information, and policies on the expungement of information. (5.16) The information should also include the type of maltreatment found along with the address of the maltreating person at the time of the finding.

Information in the Central Registry should:

- Be accessible to child protective services multidisciplinary team members, and other community partners, as allowed by statute;
- Track multiple incidents of abuse or neglect by the same person;
- Be kept strictly confidential and secure from unauthorized access or release; and
- Be updated, as appropriate, when new information is obtained.

A mechanism should be in place to allow an individual to appeal his or her inclusion in the Central Registry.

5.16 Maintaining and Expunging Records

The child protection agency should have clearly defined statutory authority, policy criteria, and time frames for expunging information collected by the agency on children and families.

Under the federal Child Abuse Prevention and Treatment Act of 1996 (P.L. 104-235), states must have procedures in place that facilitate the prompt expungement of unsubstantiated or false records that are accessible to the general public or are used for purposes of employment or other background checks. Where state or provincial law does not specify the time for which such records will be retained, the child protection agency should establish policies that do so. The policies of the agency should clearly define when and how information should be completely expunged. In addition, the agency should clearly define what is meant by "the record."

Retention policies on records, including unsubstantiated child abuse and neglect reports, should be based on the primary objective of safety of children and take into account the need to preserve historical patterns of abuse and risk within families. Unsubstantiated records should be kept as part of the child protection agency's internal files for purposes of determining patterns within the family; such records should not, however, be shared with individuals other than law enforcement, child fatality boards, and the court, and then only on request.

At the time of the initial intervention, the family should be notified as to when family information will be expunged and how to request the correction of information in the record believed to be inaccurate. (5.15) The agency should allow parents to place in the record information the parents believe will clarify, correct, or complement information already contained therein. (1.21, 2.6)

Access to information in the records should be strictly controlled. The agency should have adequate security to prevent unauthorized access to family records, regardless of the form in which those records are maintained. (5.17)

5.17 Confidentiality and Safeguards in the Use of Records and Data Systems

The child protective services agency should develop policies and procedures related to the sharing of information obtained during the assessment of and service delivery to children and families, and should maintain and update those policies and procedures as appropriate.

Federal and state/provincial laws govern the practice of confidentiality and the sharing of family record information. Federal law requires public disclosure of information in cases involving child abuse and neglect fatalities or near fatalities. (5.28) The agency's policies should facilitate interagency collaboration and the sharing of relevant and appropriate information to protect children and provide services to families, while safeguarding the family's right to privacy.

Violations by agency personnel or their designees of confidentiality statutes or of agency policies related to confidentiality should be dealt with through appropriate civil and criminal penalties.

The agency should allow parents to have access to information in their record, except for information that may not be shared due to statutory prohibitions (e.g., identifying information on the reporter). (1.18)

State statute and agency policies should prohibit the release to any person of information that would place at risk the safety or health of another family member (e.g., the location of a domestic violence victim). (1.18)

In situations where child protection concerns cross jurisdictional boundaries (e.g., the military, American Indian and native Alaskan tribes and nations, child protection agencies in other states), the agency should establish written agreements and protocols to regulate the sharing of appropriate information. Where state/provincial laws prohibit the sharing of information critical for the protection of children, the child protection agency should advocate for statutory changes. (3.3, 3.6, 4.21)

The child protection agency should establish security mechanisms to protect the integrity of paper and computer records on children and families.

If the agency develops an Internet web page to share information on its programs and services, it should take appropriate steps to protect the confidentiality of the families and children it serves, and should put into place security measures to prevent unauthorized access to other agency data systems.

Ensuring Quality

To ensure the quality of its services, the child protection agency should regularly evaluate its performance and achievements, including the support its provides to its staff and its communication with the community. Child protection agencies that provide quality programs will find that families and the community will be more likely to look upon them as an important source of support and assistance. Social workers who provide quality services are more likely to be successful in their work with families and to have confidence in their skills.

5.18 Conducting Research and Incorporating it into Agency Practice

The child protection agency should conduct research internally and collaborate with universities and other agencies in research activities that evaluate the efficiency and effectiveness of its practices, services, and programs. (3.3)

The agency should review research findings to extend its knowledge about programs and services that result in safety and permanency for children. The review of research should include, but not be limited to, information on abused and neglected children and their families.

Research conducted or used by the agency should:

- Use accepted research methodologies and be directed by qualified research personnel.
- Ensure the privacy rights and protect the integrity of all families and children. The participation of families and children in any research endeavor should be voluntary and all participants should be informed of the purpose of the research. (1.18, 5.17)

- Protect the confidentiality rights of the family and children. (1.18)
- Have funding sufficient to assure that it can be successfully completed. The agency should pursue public and private funds for research activities.
- Involve community partners, to the extent possible, in the research design and implementation.
- Be incorporated into policy and practice development, as appropriate. Staff should be informed of the research projects and trained in the findings of research conducted by the agency. (5.7)
- Be reviewed in concert with administrative data to determine if changes in organizational programs or structure should occur.
- Be shared with federal, state, and community agencies so that they can benefit from and use the information to improve their system of support to families and children.

5.19 Evaluating Program Performance and Achievement of Family and System Outcomes

The child protection agency should regularly evaluate the effectiveness of its services from a quality assurance as well as from a client-outcome perspective.

The agency's evaluation may be conducted by qualified agency staff or by outside consultants, but it should be developed and implemented using a team approach involving agency program and evaluation staff. Although most of its evaluations will be planned, the agency should have the ability to conduct evaluations of critical incidents and respond to ad hoc evaluation requests.

The agency should use the evaluation to assess its program performance in meeting the goals and outcomes it has established. Programs should be modified or altered based on the results of the evaluation. (5.5, 5.20)

When conducting an evaluation, the agency should:

- Gather and analyze all information available to the

agency, both internal and external, to assess the impact of its service delivery on children, families, and the community. Information should be gathered from a variety of sources, including the agency database, staff surveys, family records, consumer feedback, contracted service providers, citizen review reports, focus groups, and community surveys.

- Assure that the information gathered is appropriate and sufficient to measure the agency's ability to meet its program outcomes.
- Clearly define in advance the child, family, and system outcomes that will substantiate program effectiveness and success.
- Assure that there is an effective interchange between decisionmaking and program evaluation so that program changes occur based on the evaluation findings.
- Determine how program implementation, operation, and utilization affect the outcomes.
- Implement a peer review process to assess the quality and results of services provided to families and children.
- Include the assessment of family satisfaction as a key component.
- Assess the responsiveness and outcomes of services and programs across the diverse cultural groups served by the agency.
- Incorporate into the evaluation process feedback to staff on the outcome of services to families whom they have served. The feedback should address both successful and unsuccessful child, family, and system outcomes.

The child protection agency should assess the implications of the evaluation findings for service delivery, casework practice, program operations, and its staff allocation process, particularly if the findings indicate a need to reassign staff or financial resources. Program and practice modifications should occur as indicated by the evaluation findings.

5.20 Evaluating Administrative Functions and Operations

The child protection agency should regularly evaluate its administrative functions and operations and their effect on service delivery.

The agency's evaluation of its administrative functions and operations should be conducted by qualified in-house staff or by outside consultants. It should include an assessment of the adequacy of:

- The agency's staffing, including number and qualifications of staff members relevant to meeting the agency's outcomes;
- The range of services available through the agency or community partners to meet the needs of families and children;
- Programs utilized to determine if the services provided are necessary and sufficient to meet the needs of children, families, and the community; (1.26)
- Administrative policies, procedures, and the management information system; (5.7, 5.12)
- Support services such as training, consultation, and financial management;
- Staffing patterns to ensure sufficient diversity among staff consistent with the cultural and ethnic composition of the community; (5.34)
- Salary and other benefits for staff; (5.10) and
- The agency's involvement in the community and the ability of the agency to engage individuals from the community in the support of children and families.

The agency should also assess the sufficiency of its resources and whether they are being used in an efficient and effective manner. A finding that resources are insufficient should be used by the agency in advocating for additional resources.

5.21 Use of the Management Information System to Evaluate Program and Administrative Effectiveness

The management information system (MIS) maintained by the child protection agency should contain information sufficient

to allow an evaluation of the agency's program and administrative effectiveness.

Information maintained in the agency's MIS should be in an accurate and retrievable format. The agency should train staff or engage consultants to analyze the information contained in the system.

In using its data system for program and administrative evaluation, the agency should:

- Analyze demographic and services utilization information to determine who is using which services. Geographic information can help the agency determine if services are available to families who need them. This information can also be used to determine if there is sufficient staffing to meet the service needs of a community or geographic area. (5.20)
- Develop baselines, standards, and benchmarks for measuring the appropriateness of services. These standards or benchmarks should be built into the system and should reflect established agency goals and desired outcomes and improvements. (5.5)
- Assure that the information accurately reflects the current operation of the agency.
- Compare historical data to determine if changes in programs have resulted in the desired results.
- Assess the quality and cost effectiveness of its service delivery system.
- Analyze the cultural diversity of its staffing patterns.
- Continually assess the data system to determine if additional data elements or data collection procedures are needed to help assess program effectiveness.

5.22 Fiscal Planning and Management

To meet the most critical needs of the families it serves, the child protection agency should have a detailed financial strategy and should carefully manage its funds.

The child protection agency should employ staff with the expertise to manage its resources efficiently and have in place a sound financial resource management system. It should:

- Base its fiscal management strategies on sound business practice, including delineating the sources and uses of all funds;
- Consider its mission and goals when deciding where to increase or decrease expenditures; (5.4)
- Continually evaluate the cost-effectiveness of its service delivery system;
- Establish lines of fiscal authority and responsibility to ensure its fiscal integrity;
- Use information in the management information system to support requests for additional funding or flexibility in current funding;
- Assure that all staff are aware of the source and purpose of all funds, and how they can help the agency use those funds efficiently and effectively;
- Continually assess how the agency can redistribute, refinance, and maximize its funds;
- Have a fiscal tracking system that is accessible to all staff who have authority to approve the expenditure of funds;
- Advocate for fiscal flexibility when funds are appropriated; and
- Distribute funds based on a sound allocation process.

5.23 Role of Licensing Agencies in the Delivery of Quality Services

The child protection agency should collaborate with licensing agencies to ensure that programs serving children and families are meeting the standards of quality set by the licensing agency.

When concerns are raised about the quality of care in a program, or when specific allegations of abuse or neglect are made, licensing agencies should have the knowledge and authority to take prompt and decisive action to protect children. Actions may include, but should not be limited to, reporting suspected child abuse and neglect to the child protection agency and requiring that corrective action be taken, if necessary, to comply with licensing and safety standards. (6.1)

Accountability

Establishing a partnership between the child protection agency and the community requires a level of trust and respect that comes from open and ongoing collaboration. The agency should be accountable to the community for its actions in protecting children and supporting families, and should keep the community informed as to its goals and programs. The community, in turn, should feel that the agency is competently achieving its mission and meeting its goals. Ultimately, the agency will gain the trust and respect of the families and the community by delivering a quality service and being accountable for its actions.

5.24 Use of Management Information System to Support Agency Accountability

Information contained in the child protection agency's management information system (MIS) should be used to determine if staff are following the agency's policies and procedures and to assess staff competencies and practices.

The agency should use the information in its MIS to:

- Generate regular caseload reports to staff to be used for case management, review, and planning;
- Generate regular reports to supervisors and office administrators related to the overall operation of the office, with the reports structured so that supervisors and administrators can be aware of and take corrective action on any areas of concern;
- Provide the agency director and his or her administrative staff with outcome-based reports on the agency's success in achieving its mission and meeting its goals; (5.5)
- Identify any fiscal irregularities; and
- Generate annual and ad hoc reports related to the agency's operation and performance to the legislative and executive branches of the state, and to the community.

5.25 Role of Citizen Review Boards

The child protection agency should establish and maintain citizen review boards as a source of oversight for the community.

Federal law requires that citizen review panels be established in each state, and that they be composed of volunteers broadly representative of the community.

Citizen review boards should have the authority to review specific child protective situations, to make policy and system recommendations, to prepare and publish reports, and to ensure that the agency is held accountable to the community.

To be effective, the citizen review board should:

- Be independent of the agency it has been appointed to oversee;
- Have access to the information it needs to carry out its mission;
- Have sufficiently trained support staff; and
- Establish internal policies and protocols for its effective and efficient operation, including policies regarding access to child and family records and other information necessary for the board's review.

Citizen review board members should be informed, committed, and trained; objective in their review of agency policies and practices; culturally diverse; and geographically representative.

The relationship between the agency and the citizen review board should be built on communication and trust.

The agency and board should develop both formal and informal communication channels to assure regular communication.

The agency should seriously consider the recommendations of the board and clearly explain actions taken relative to the recommendations.

If there is more than one citizen review board, the recommendations of all the boards should be compiled and reviewed for common themes and program needs.

5.26 Responding to Individual Information Requests

The child protection agency should respond to all requests for information from families served by the agency, and from other individuals, in a manner that respects the rights of the individual to request information while protecting the confidentiality of the families and children being served. (1.18, 5.17)

The agency should:

- Develop policies and procedures for staff related to the sharing of information with particular individuals and agencies;
- Verify the identity of the individual and his or her right to have access to the requested information;
- Respond to requests in a timely manner with appropriate information, or explain why the information cannot be shared; and
- Prepare information sheets, for general release in response to routine requests, that describe the agency's services and programs, so that the information is consistent and accurate.

The agency should prepare an annual report that can provide interested parties with information regarding the agency's programs, the demographics of the families it serves, and the success of the agency in meeting outcomes. Such a report will be helpful when the media, researchers, and the public seek generic information on the agency's operations.

5.27 Responding to Inquiries and Concerns from Families and the Community

The child protection agency should establish a mechanism to respond to inquiries and concerns from the community, families, and professionals who refer families to the agency while protecting the confidentiality of the families and children being served. (1.18, 2.6, 5.17)

A designated person(s) should be available at the state and local level to respond to inquiries from the community, fami-

lies, and professionals. Families and other community members may be confused by the actions of agency staff and by the policies of the agency. A designated person, such as an ombudsman, can help such persons obtain answers to their questions.

When there is an inquiry, the agency should:

- Refer the request to an identified staff member(s) to assure a timely response;
- Involve appropriate agency staff in responding to the request;
- Resolve questions internally related to the inquiry prior to responding so that relevant information is shared;
- Provide the information to the person making the inquiry in a standardized format (either written or verbal);
- Analyze requests on a regular basis to determine if policies or procedures should be revised; and
- Provide its findings to appropriate administrative staff if it appears that personnel action may be required.

5.28 Child Death and Critical Incident Review

The child protection agency should have in place a structured process to review critical incidents that result in the serious injury or death to a child known to the agency, or other situations that require a formal review.

The child protection agency should play an integral role in child death and critical incident review at both the state and local level.

Reviews of child deaths should not be limited to instances of suspected child abuse or neglect, but should also include child deaths involving drowning, suspected Sudden Infant Death Syndrome (SIDS), and other situations. The review should be conducted not only to determine the events surrounding the death of a child, but to determine what the community can do to prevent future deaths and keep children safe. (3.12)

Regardless of who conducts the review or at what level it is conducted, reviews of child deaths or critical incidents should focus on the actions of all parties involved with the child. Although the focus and protocol of the review process will vary depending on the community involved, the review should:

- Use a multidisciplinary approach that includes representatives from community partners involved in protecting children (e.g., law enforcement, child protective services, the prosecutor's office, health care professionals, the coroner's or medical examiner's office, mental health care providers, and child advocacy groups).
- Include professionals who have been involved with the family, as well as professionals who sit regularly on the review panel.
- Abide by the constraints of confidentiality and immunity statutes and strict operational protocol.
- Include a compilation of findings so that epidemiological data and case studies can help identify ways in which the community can better protect its children and support families. Information captured at the community level should be forwarded to the state for analysis of statewide trends.
- Provide feedback to the community on strategies that can be implemented to prevent future deaths or serious injuries.

The agency should be aware of the profound impact that child deaths and other critical incidents may have on staff and should provide necessary support and case debriefing opportunities.

5.29 Agency and Staff Liability

The child protection agency should have in place policies and procedures to prevent incidents that may create agency and staff liability, and to respond to any such incidents that may occur.

The responsibilities associated with protecting children and

supporting families bring with them the risk of legal liability. It is not uncommon for agencies or their staffs to be sued for actions they take or decide not to take. The fear of lawsuits or liability should not distract the agency or its staff from carrying out the agency's mission and goals. The agency, however, should be prepared to respond quickly when liability issues are raised.

To decrease the risk of agency and staff liability, the agency should:

- Have sufficient policies, procedures, and training to direct the activities and practice of staff. Supervisors and administrators should assure that the policies and procedures are followed. (5.7)
- Assure that staff clearly document their actions with families in the family's record. If staff deviate from policy, they should clearly document why, in their professional judgment, the policy was not appropriate in the particular situation. Supervisory staff should be aware of and approve any deviations from policy. (5.13)
- Implement and adhere to good practice standards.
- Review all its functions, policies, and practices on the basis of the standards of practice established by the Child Welfare League of America, and in accordance with the standards of recognized accrediting bodies such as the Council on Accreditation of Services for Families and Children, Inc. The agency should demonstrate that all of its services meet the highest national standards.
- Protect the organization's personnel, financial resources, and families by developing and implementing a risk-management plan.
- Obtain sufficient insurance coverage and provide legal assistance to staff, if necessary. Public agencies that are self-insured should know how to immediately access legal counsel.

The agency should respond immediately to allegations made against its staff, and, if the facts warrant, take appropriate policy or personnel action.

Personnel

To carry out its mission, the child protection agency must attract and retain a competent and culturally diverse workforce. Staff members should be appropriately trained and should possess the skills and knowledge needed in their particular job responsibility, as well as in working with the community. All personnel should understand the role of the agency in protecting children and supporting families.

5.30 Recruiting and Selecting Personnel

The child protection agency should develop a comprehensive staff recruitment and selection plan that is oriented toward maintaining a competent and culturally diverse workforce.

Certain distinct personal qualities best enable child protective services staff to work effectively with abused and neglected children, their families, other professionals, and the community. As the child protection agencies incorporate a community-based approach to protecting children, their staffs will need to possess strong collaborative and facilitative skills, as well as casework skills.

Recruitment

The agency's recruitment plan should be oriented toward maintaining a competent and culturally diverse work force that reflects the cultural and ethnic composition of the community. The agency's plan should include the use of current personnel to help recruit additional staff. In addition, the agency should actively engage the community in identifying and attracting competent employees. Recruitment activities should be conducted on an ongoing basis. They should be based on projected staff needs, workload considerations, anticipated personnel budget, and estimated turnover rate. As the majority of staff will likely be social workers, colleges and universities should be targeted for recruitment activities. (5.34)

Selection of Staff

The success of the child protection agency depends on its employment of staff members who are committed to its mis-

sion and goals. The child protection agency should have in place a structured personnel selection process to assure that staff bring to the agency the education, skills, knowledge, abilities, and personal commitment necessary for the agency to achieve its mission.

Public agencies operating under state or local personnel rules and regulations should adhere to those requirements in selecting and hiring personnel. (5.31, 5.32, 5.33)

When selecting staff, the agency should:

- Develop job descriptions that explain the essential functions of the position and the competencies needed to perform those functions;
- Involve the candidate's immediate supervisor in the selection process, as well as others (preferably prospective co-workers), in the interview and selection process;
- Verify information provided during the interview process, including education, prior employment and experience, and criminal or child abuse history;
- Assess the personal characteristics of the candidate, including his or her ability to work in a multidisciplinary setting, with families, peers, and the community; and
- Assure that the selection process is consistent and provides for a fair assessment of each candidate's competencies.

5.31 Professional Qualifications, Competencies, Responsibilities, and Personal Qualities of Child Protective Services Administrators

Administrators in child protective services with social work supervision responsibilities should possess, at a minimum, a master's degree in social work, as well as demonstrated competence, knowledge, training, and experience in administration.

Critical to the success of child protective services is the appointment of an administrator who can carry out the agency's mission and challenge its staff to do their best to help children and families.

Child protective services social work administrators should have a strong conviction about the importance of the goals of child protective services and should possess the competencies needed to:

- Provide leadership to staff, the governing body, and the community in accomplishing the agency's goals;
- Provide leadership in the planning, development, implementation, and evaluation of the agency's policies and program;
- Assure the delivery of quality services;
- Hire competent, caring staff who will carry out the mission and goals of the agency;
- Model for staff a strengths-based approach to working with people;
- Ensure that the organizational structure is conducive to open communication and a healthy working environment;
- Assure that the goals and services of the agency are culturally responsive, consumer driven, and address the needs of the families and communities;
- Advocate, as appropriate, for additional funding and resources for families who need child protective services;
- Assure that the agency is fiscally responsible;
- Interpret the agency's mission and goals to the community, and to the families the agency serves;
- Assure that there is a strong community-based approach to child protection; and
- Communicate with other child protective services staff and administrators outside the state to assure that the program continues to be based on sound research and practice.

If the agency employs other administrators who are not responsible for social work supervision, then the education, competencies, and experience of those individuals should be in an appropriate field (e.g., fiscal management).

5.32 Professional Qualifications, Competencies, and Personal Qualities of Child Protective Services Supervisors

Supervisors in child protective services should possess a master's degree in social work and the training, skills, and personal qualities to provide strong leadership to staff, and to work effectively with families and peers in a multidisciplinary setting and in the community.

The agency's supervision structure should reflect its mission and goals.

Supervisors in child protective services should be skilled in child protective services casework methods and practice, team building, mediation, and complaint resolution. They must possess the competencies needed to:

- Provide case consultation and guidance to workers in decisionmaking.
- Teach new skills and clearly convey information to the social worker.
- Plan and facilitate the social worker's professional growth and development.
- Provide services to families during those times when a social worker is not available.
- Serve as a model and leader for staff and the community.
- Manage personnel and administer agency programs, including the selection, retention, and performance review of staff. Many new supervisors will not have experience in this area so the agency should provide them with training and mentor opportunities.
- Communicate effectively with social workers and administrators regarding the respective needs and requirements of the agency, social workers, and families.
- Assist social workers to be culturally competent.
- Work with the administration and community to develop resources to enhance staff practices and agency services.

- Work with the community to identify families and children needing services and to coordinate these services.

5.33 Professional Qualifications, Competencies, and Personal Qualities of Child Protective Services Social Workers

Child protective services social workers should have, at a minimum, a bachelor's degree in social work, or a closely related field such as counseling, psychology, or sociology, and should possess the personal qualities and capacities required to work successfully with abused and neglected children and their families.

Social workers in child protective services should possess, at a minimum, the following values and knowledge:

- A conviction, interest, and confidence in carrying out the mission and goals of child protective services;
- A respect for each individual's racial, ethnic, religious, and cultural background;
- A belief that every child has a right to a permanent home;
- An understanding of the process of individual growth and development, especially child development;
- An understanding of the dynamics of child abuse and neglect and the familial and societal factors that place children at risk (e.g., poverty, family violence, substance abuse, isolation);
- An understanding of the procedures, practices, and historical development of the legal system as it relates to child welfare practice;
- An understanding of the essentials of family-centered practice and the skills that allow the social worker to model a strengths-based approach for families;
- A commitment to continue the development of the special skills needed for providing child protective services;

- An understanding of the full range of child welfare and social work services and how they can support families and protect children;
- An interested in continuing his or her professional education beyond a bachelor's degree; and
- An understanding of the political and funding advocacy process used to acquire services for families.

In addition to the values and knowledge set forth above, social workers in child protective services should possess, at a minimum, the competencies needed to:

- Objectively assess families and children, identify strengths and needs, make sound decisions based on the information gathered, and engage families in meeting their children's immediate and long-term safety and well-being needs;
- Use family-centered practice in a culturally responsive manner;
- Assess the safety and risk factors within a family, and take decisive action when a child needs protection;
- Develop, with the family, a case plan, and work together to accomplish that plan;
- Collaborate with peers, agency administrators, the courts, and community partners to support children and families;
- Use authority constructively to protect children and support families;
- Work under stress and respond to crises, regardless of the settings in which they occur;
- Prioritize and manage multiple (and sometimes competing) responsibilities;
- Write and communicate to the family and service partners regarding the needs of the family and child;
- Separate his or her personal beliefs from professional work with families and the community, when necessary;
- Seek out and use consultation and supervision, as warranted; and

- Model good practice, sound decisionmaking, family engagement, and cultural sensitivity for peers.

5.34 Cultural Diversity and Competence of Staff

The agency should be committed to establishing and maintaining itself as a culturally diverse and competent organization.

The agency should reflect the racial and cultural diversity of the children and families it serves, and should recruit and hire staff who are representative of the populations served. The agency should evaluate its effectiveness in this area on a regular basis. (5.21, 5.30)

To successfully recruit staff members who represent diverse racial and cultural groups, the agency should:

- Make a conscious commitment to recruit and hire staff members from those groups served by the community;
- Develop a positive relationship with the communities served and work with the community to determine recruitment needs, establish recruitment plans, and conduct recruitment activities; (3.1)
- Develop relationships with schools of social work that encourage students who come from the community to use the agency as a site for field placements; (3.2)
- Consider bilingual and bicultural competency in addition to formal training and experience in evaluating qualifications of professionals and paraprofessionals; and
- Establish career advancement policies that provide opportunities for staff members from diverse groups to assume supervisory and administrative positions. (5.42, 5.43)

To retain staff members from diverse cultural groups, the agency should demonstrate cultural responsiveness to all staff members as well as to the children and families it serves. The agency should ensure that staff members at every level, as well as members of its governing or advisory boards, are representative of the populations being served.

To create a culturally supportive work environment, the agency should:

- Acknowledge and respect different points of view in the workplace;
- Establish personnel policies that are supportive and responsive to all staff;
- Provide leave time policies that accommodate the holidays and important community or family events of the various cultures represented by staff members; and
- Specify the need for cultural competence and responsiveness in all job descriptions and include attention to these qualities in performance evaluations.

In evaluating its performance, the agency should ask consumers from the communities it serves for their perceptions of the agency's effectiveness.

Staff training curricula should include a focus on improving staff members' cultural competence and increasing their understanding of the role of culture in a person's life. The agency should build relationships with community representatives who can orient staff to the values and beliefs, customs, needs, strengths, and resources of the community and its culture. (5.35, 5.36)

5.35 Preservice Training

The child protection agency should provide all members of its staff with preservice training that addresses their professional needs.

Preparing staff to work with families in a child protective services context is a critical component of providing quality services and retaining competent staff. Although some social workers come to the agency with prior experience, have taken classes specific to child protection and child welfare, or have completed an internship in a public agency, the agency should still require and offer a strong preservice training program for all newly hired staff. The training curriculum should be competency based, with identified learning outcomes.

The training components and experiences should include, but not necessarily be limited to:

- Federal, state, and provincial laws governing agency practice, and the agency's philosophy, policies, and procedures; (5.6, 5.7)
- Assessing the safety of and risks to children; (1.15, 1.16)
- Screening for appropriateness of child abuse or neglect reports; (1.8, 1.12)
- Engaging families; (2.6)
- Language usage and cultural competency;
- Interviewing children and their family members, and collecting and analyzing information; (2.7)
- Decisionmaking; (2.4)
- Managing multiple (and sometimes competing) responsibilities;
- Developing behaviorally specific case plans; (1.25, 2.5, 2.13)
- Teamwork and working with multidisciplinary teams; (3.14)
- Use of supervision;
- Documentation and completion of required paperwork; (5.13)
- Courtroom and testifying skills; (4.6) and
- Basic computer competencies.

Experiential training should be offered, including the delivery of services to a limited number of families, followed by additional classroom discussion. Each staff person should be assessed to determine if the skills and knowledge learned are transferred to the job.

Preservice training should be developed for new social work supervisors and should include: a review of the foundations of child protective services; casework methods and practice; the supervisor as manager, staff model, and leader; and staff development and community engagement skills.

5.36 Inservice Training and Continuing Education

The child protection agency should routinely provide inservice training and continuing education opportunities to ensure that its staff members have the specialized skills and knowledge necessary to provide quality services.

Training is effective only when it is provided on a continuing basis and designed to meet the individual training needs of staff members. Formal, organized training programs should be augmented by on-the-job supervision, job rotation, coaching, and self-directed training opportunities.

The inservice training curriculum should include competency-based modules to ensure that staff continue to improve their knowledge of child abuse and neglect and gain the skills they need to work with families, children, and the community. Inservice supervisory training should include modules that advance supervisory skills and knowledge in working with staff, families, and the community.

The agency climate should be conducive to continual professional growth and development for all staff. Training opportunities should be tailored to the educational, knowledge, and experience levels of the staff being trained. Social workers, supervisors, and administrators should be regularly and formally consulted as to the training and professional development needs of the agency. Since most agencies have both master's and bachelor's level staff, training should reflect the needs of all staff.

The agency should work with universities and colleges to help staff members who are interested in obtaining advanced degrees and should consider providing financial support, flexible hours, or other special arrangements to assist support staff to obtain additional training and education. (3.3)

5.37 Qualifications, Competencies, and Personal Qualities of Paraprofessionals and Support Staff

Paraprofessional and support staff should have the education, knowledge, skills, competencies, license or certification, and experience required to perform the tasks assigned to them by the child protection agency.

Support staff qualifications will depend upon the job for which each person will be responsible. The child protection agency should develop clear job duties and expectations that delineate the qualifications and competencies of these staff members.

The agency should attempt to attract the most qualified and competent staff. Since all staff will have contact with the community, they should have the personal characteristics needed to respond appropriately when communicating with families and community partners.

As with all staff employed by the child protection agency, the persons employed should be committed to the mission and goals of child protective services.

5.38 Role of Volunteers

The child protection agency should use volunteers to provide services, support staff, and engage the community in protecting children and supporting families.

Volunteers can provide the agency with talents that supplement those of staff and contractors. The agency should identify and use volunteers to provide support to the agency or to a particular family or child. (2.9)

In defining the role of volunteers, the agency should:

- Clarify each volunteer's purpose and responsibilities;
- Develop job descriptions;
- Attract and use volunteers who are culturally sensitive, culturally diverse, and committed to the mission and goals of the agency;
- Determine the need for supervision and the assignment of duties; and
- Provide sufficient training for the tasks they will perform.

In conversations with families receiving services, the agency should determine if they know of individuals who might volunteer to work with them.

Families should have the option not to work with a volunteer.

The volunteer's duties and authority should be clear to the families and community partners. Volunteers should not be used for duties where they are not qualified or to replace paid social work staff. Paid staff should be clear as to the duties and supervision of volunteers.

5.39 Criminal and Child Protective Services Record Checks

The child protection agency should assess the background of all prospective staff and volunteers for their ability to work with children and families.

Background assessments are particularly important for staff and volunteers who will have direct contact with families.

The agency should conduct initial and periodic criminal and child abuse screenings of staff and volunteers.

If a candidate or staff person is found to have a criminal or child abuse history, the incident(s) should be thoroughly reviewed.

The agency should not hire or retain staff who might be a danger to children, families, or other staff.

5.40 Creating a Supportive Work Environment

The child protection agency should provide a work environment that is supportive of staff.

The agency should emphasize supporting staff through the availability of experts to consult with staff on families, facilitating attendance at professional seminars, and through recognition of success. (2.15)

The agency administration should encourage staff to provide suggestions, through formal and informal avenues, on improving the working environment, and should be responsive to staff concerns and suggestions. The agency should encourage peer support groups and establish an organizational structure that is conducive to teamwork and support.

5.41 Ensuring Worker Safety

The safety and well-being of staff should be of paramount importance to the child protection agency.

A sense of safety in the office and in the field will relieve stress and improve the ability of staff members to concentrate on supporting families. Since many child protection agencies have high staff turnover rates, worker safety training should be regular and ongoing.

To provide its staff with a safe environment, the agency should:

- Develop and implement a training module that addresses precautions and procedures to enhance safety and self-protection.
- Provide staff with access to cellular phones, pagers, and other communication equipment that can be used while in the field to improve safety.
- Assist staff in assessing when they are in a potentially unsafe situation and train them on how to take steps to protect themselves. The agency should develop a safety manual for staff.
- Conduct routine inspections of offices to determine if changes need to be made to keep staff safe.
- Develop written agreements with law enforcement agencies to provide staff with protection when they must visit potentially unsafe locations. (4.1)

  Staff should have access to their clients' criminal and domestic violence history to assess if the environment is potentially dangerous. The agency should also ensure that staff members are able to take a coworker with them if there is concern about safety and law enforcement assistance is not available.
- Have formal written procedures guiding staff actions when threats or assaults occur.
- Respond immediately to threats against staff and facilities.

- Encourage staff to report incidences of threats or aggressive actions by individual receiving services, coworkers, or contractors to the agency and to law enforcement, as appropriate and necessary.

5.42 Promoting Personal and Professional Growth and Development

The child protection agency should provide opportunities for personal and professional growth to all of its staff, and especially to frontline workers and supervisors.

The work of child protective service workers, supervisors, and administrators can be physically demanding, emotionally draining, and politically charged. To help alleviate the effects of these conditions, the agency should:

- Provide staff with regular and timely access to research studies, professional newsletters, and periodicals that support professional and personal development.
- Encourage staff development and growth, both personally and professionally. The agency should make available opportunities for continuing education and growth, either through programs administered by the agency or through other community agencies.
- Establish and maintain itself as a culturally diverse and competent agency. Activities sponsored by the agency should recognize and value cultural diversity. (5.34)
- Provide training opportunities that promote personal and professional growth and development.
- Be cognizant of the organizational and personal stresses that can result in staff burnout and implement strategies to address these stresses.

5.43 Creating Opportunities for Professional Advancement

The child protection agency should provide staff with opportunities for professional advancement.

Staff retention in child protection agencies is often a challenge due to the stressful nature of the job. Some staff who

remain with the agency will want to provide direct social work services to families, while others will decide to become supervisors or administrators.

To retain staff and promote their personal and professional advancement, the agency should:

- Develop a career ladder that provides compensation commensurate with the social work and supervisory responsibilities of its staff;
- Provide opportunities for competent staff for increased independence and challenges;
- Develop a mentoring or other formalized job experience for staff who are interested in advancing to supervisory or other positions of leadership;
- Provide opportunities for obtaining advanced degrees or other education that will assist staff in professional advancement, including advocating for and obtaining funds through public and private sources to assist staff in obtaining advanced degrees and education;
- Provide staff with opportunities to meet licensing and certification requirements in their field;
- Reward staff for excellent performance and achievement;
- Have in place a mechanism(s) that informs all staff within the agency when there is an opportunity for advancement within or outside the agency; and
- Advocate for funding sufficient to provide compensation in the form of salaries and benefits that is comparable to other agencies within the community and state or province.

6

Protecting Children in Settings Outside of Their Families or Homes

Goals:

I. Agencies and individuals caring for children in settings other than the children's homes provide a safe environment free of child abuse and neglect.

II. Agencies and individuals caring for children in settings other than the children's homes meet or exceed all relevant licensing, accrediting, and credentialing standards.

III. Agencies responsible for responding to reports of child abuse and neglect involving children in settings other than the children's homes conduct thorough and timely assessments and take any action necessary to protect children and prevent future abuse or neglect.

Abuse and neglect are not limited to settings or persons within a child's family. Children are also neglected or abused by nonfamilial persons in settings outside of the children's homes. When abuse or neglect occur under these circumstances, parents have the primary responsibility to take such steps as may be necessary to assure the care and protection of their children.

Children cared for in settings outside of their homes have the right to the full protection of the state or province. The child protection agency can play a strong role in helping the community to prevent maltreatment outside the family. State statutes and laws, however, as well as local protocols, vary widely regarding which agency is responsible for responding to reports of maltreatment outside of the family.

Incidents that do not involve the child's parent, guardian, or an individual who is continuously or regularly in the child's home are considered in many jurisdictions to be criminal issues and the responsibility of law enforcement agencies and the criminal justice system.

When a child protective concern arises that involves a child who has been removed from the home due to abuse or neglect, the agency having court-ordered custody of the child should take the lead in ensuring that the child is safe and supported.

The agency with responsibility for responding to reports of maltreatment outside the family should:

- Employ and support a skilled staff that is well-trained and knowledgeable regarding child abuse and neglect;
- Receive, screen, and assess reports of suspected nonfamilial child abuse and neglect and take prompt action to protect the child;
- Seek help from other service providers, as needed, to minimize trauma to the child; and
- Assure that in the investigation and prosecution of child abuse and neglect cases, the protection of the child is the top priority, and that the child receives treatment.

Prevention of Child Abuse and Neglect in the Community

6.1 Prevention of and Early Intervention in Child Abuse and Neglect in Program Settings

The child protection agency should collaborate with its community partners and community resources to prevent abuse and neglect in programs outside of the home.

The child protection agency plays an integral role in helping the community understand why abuse and neglect occurs and how it can be prevented. Any prevention activities targeting abuse and neglect outside of the home should be community based and coordinated with activities that focus on prevention and early intervention in the home.

Child protection agencies have a substantial knowledge base that can be made available to help the community and individuals who care for children to design safe and nurturing child caring settings. (1.1, 3.1, 3.8, 5.4)

The child protection agency can:

- Collaborate with community partners on public awareness and prevention campaigns;
- Advocate for funds for prevention activities such as family resource programs, adequate transportation, improved housing, prevention newsletters, helplines, home visiting services, community needs assessment, and personal safety programs in schools;
- Identify factors within the community that may contribute to child abuse and neglect;
- Provide members of the community with access to agency-sponsored training sessions on child abuse, child development, child care skills, substance abuse, family support, and other topics;
- Provide information to child care employers and others to assist them in making hiring decisions that will protect children; and
- Collaborate with licensing agencies to establish strong licensing requirements and to prevent unsafe child care programs.

6.2 Prevention of and Early Intervention in Child Abuse and Neglect in Nonprogram Settings

The child protection agency should collaborate with the community and parents to prevent abuse and neglect in nonprogram settings and in situations outside of the home.

In any community, parents rely on informal supervision opportunities for their children (e.g., leaving a child in the

care of a neighbor or baby-sitter, allowing the child to participate in a recreational activity or after-school program, spend the night with a friend, or go on a camping trip).

Parents should always be aware of where their children are and who they are with. They should be comfortable with the individual's ability to provide safe supervision and should be clear in their expectations and boundaries. Parents should train their children to recognize unsafe or uncomfortable situations and to respond appropriately. Children should be encouraged to tell their parents if an adult or another youth makes them feel uncomfortable or unsafe. (1.4, 3.2)

Communities should develop opportunities for individuals such as baby-sitters and recreational activity leaders to receive training in child development and in providing safe supervision to children. (3.3, 3.4, 3.5)

Preventing Child Abuse and Neglect in Programs Serving Children*

In most communities, numerous programs have been established to care for children on a regular basis. These programs include schools, child day care homes and facilities, residential care facilities, family foster homes, and summer camps. They are responsible for providing children with a safe setting in the absence of the children's parents or caregivers.

6.3 Program Design, Implementation, and Monitoring

The child protection agency should assist community agencies and organizations in designing and operating programs that care for children to ensure that the programs meet the safety and well-being needs of those children.

Programs intended to care for children should be established in close consultation with licensing and accreditation entities to assure that the programs will provide quality care.

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* See also CWLA's *Standards for Child Day Care Services* [CWLA 1991].

(6.8) Those designing new programs should consult with already established agencies that provide similar services, to learn from the experiences of others.

Organizations providing care for children should:

- Prohibit corporal punishment by law and/or policy (this includes schools). Staff should be well-trained in the use of appropriate discipline.
- Meet applicable licensing requirements.
- Assure that their programs meet the care and treatment needs of the children, are adequately financed, and are competently staffed.
- Provide opportunities for public scrutiny. In many organizations this can be facilitated by having a governing board or a community advisory committee.
- Be evaluated internally and externally on a planned periodic basis.
- Involve parents in the planning and delivery of services.
- Have well-defined policies and procedures to assure quality care and supervision for children.
- Keep comprehensive administrative records on the operation of their programs and their employment of staff, including records on employment checks, staff training hours, financial management, credentialing, and accreditation.
- Maintain the confidentiality of the families and children they serve.
- Take prompt and aggressive action when concerns are raised related to the care of the children for whom they are responsible.
- Comply with state or provincial reporting laws and take immediate steps to support an abused or neglected child.
- Employ a sufficient number of staff members to assure appropriate supervision and backup in times of emergency, including nights and weekends for programs providing 24-hour-a-day care.

6.4 Prelicensure and Preemployment Checks

Community agencies and organizations should work with child protection agencies to conduct comprehensive screenings of potential employees, licensees, and volunteers.

The screening of potential employees and licensees is an important step in ensuring the safety of children. In addition to screening its paid employees, the child-serving organization should establish and conduct a comprehensive screening process for its volunteer and contracted staff members.

Preemployment and prelicensure checks should include criminal background checks, obtained through state/provincial or federal law enforcement agencies, and child abuse and neglect screenings that directly seek information regarding past records.

Criminal background checks and child abuse and neglect screenings should be carried out with adequate protections for confidentiality and an individual's civil rights. If the state or provincial statute allows for screening of an individual's child abuse and neglect history, the agency should access this information prior to employment. (5.15, 5.39)

As part of its screening process, the child-serving organization should ask:

- Has the applicant ever been convicted of any crime of violence against a person, crime against children, or a sexual offense against children, or is the applicant currently charged with any such crime?
- Is the applicant currently under investigation by a law enforcement or child protection agency for child abuse or neglect, assault on a child, or other crimes against a person?
- Has the applicant been the recipient of a dispositional finding of substantiated child abuse or neglect as a result of an assessment or investigation into one of the above alleged acts?

The types of offenses referred to in the questions may indicate potential problems in someone caring for children. An affirmative answer to these questions, however, should not be an automatic bar to licensure or employment. For ex-

ample, there could be instances of previous criminal behavior (e.g., drunken driving where an individual has been sober for many years) that may not affect an individual's current ability to care for children. This information should be part of the evaluation of an applicant's suitability for employment. Decisionmaking should reflect a balance between the legitimate need to protect children and the desire to avoid unnecessary denial of employment to an individual. The rationale for employment decisions should be documented.

The screening process should be documented by the licensing agency and included in the organization's application for licensure. In addition, the questions should be used by licensees (e.g., child day care centers, residential care facilities) in their hiring of staff members and in their screening of volunteers. The questions should be asked of all individuals who provide care to children.

Because criminal background checks only disclose actual convictions, the child-serving organization should question individuals seeking employment with it regarding pending criminal charges. Individuals seeking licensure should disclose pending charges so that the licensing agency or potential employer may evaluate whether the information could affect the applicant's ability to care for children.

6.5 Previous Employers and Other References

Community child-serving agencies should require applicants to submit the names and addresses of their previous employers, as well as other references.

In checking references of potential employees, the child-serving agency should ask if the reference knows of any reason why the applicant should not work in a setting in which children are receiving care. All actions taken regarding the checking of references should be documented in the employment record.

Preemployment and prelicensure checks do not guarantee the safety of children. Systematic and continued attention should be given to the quality of the staff in child-serving settings through the provision of continuing supervision as well as mandatory training.

6.6 Selecting Staff

Depending upon its purpose and programs, the child-serving agency should select staff with a variety of skills, educational backgrounds, and experiences.

Most staff will have some contact with children and, therefore, will need to have the personal characteristics to work with children. The agency should develop job descriptions and qualification requirements that will assist in the recruitment and hiring of persons with such characteristics, and should seek out persons who meet or exceed the educational, experience, competency, and skill requirements for the position.

In staffing its services, the agency should assure that each staff member:

- Is culturally competent and understands the importance of culture when working with children and families;
- Is personally committed to helping children and families; and
- Has the ability and willingness to work collaboratively with peers, other agency staff, and community partners;

The child-serving agency should involve the candidate's immediate supervisor in the selection process and conduct sufficient background checks. New staff members should be observed working with children during the probationary period as well as in preservice training.

6.7 Staff Training

Staff members of the child protection agency should assist in the development and presentation of the child abuse and neglect components of training in child-serving organizations. (3.1)

Staff training is an essential element in the prevention of child abuse and neglect in child-serving agencies.

To be effective, training regarding child abuse and neglect should not be a one-time event but part of an ongoing staff development process. It should be developed for all staff in

the child care setting and customized to their job duties and individual training needs. All staff should receive training in identifying and preventing child abuse and neglect in the facility.

Staff training regarding child abuse and neglect should be comprehensive in nature. It should

- Include, but not be limited to, the dynamics of child abuse and neglect, child development, appropriate discipline techniques, supervision of children, and separation and attachment issues;
- Use standardized material but also allow for flexibility to address local and regional issues; and
- Be provided by staff with the skills and competencies to conduct the training.

6.8 Licensing, Credentialing, and Accrediting

Licensing, credentialing, and accreditation agencies should work with the child protection agency, the community, and the child-serving organizations or individuals they oversee or regulate to prevent and respond to child abuse and neglect.

Licensing of Programs

Through licensing, standards can be set and enforced relative to those who provide care, as well as to the environment in which care is given. Concern about child-serving programs that are not licensed or are not currently required to be licensed is justified and legislative advocacy efforts should be targeted to remedying such omissions.

The public licensing authority has the primary responsibility to assure that agencies requesting licensure meet all licensing requirements.

Parents and agencies making placement decisions should have easy access to a facility's licensing history, as well as to the licensing history of the organization's current and former employees.

The licensing authority should:

- Assure that its licensing standards are adequate to protect the safety and well-being of children. The li-

censing authority should collaborate with child protective services and other community partners when revising and updating licensing requirements.

- Collect and disseminate information about the safety and well-being of children, and use this information when revising and updating its licensing standards.
- Routinely inspect facilities and assure that deficiencies are corrected in a timely manner.
- Respond to all reports of child abuse or neglect in any licensed facility and take prompt action to assure the safety of the children in those facilities.

Following the completion of an investigation into allegations of child abuse or neglect, the licensing agency should establish a definitive plan with the licensee to correct any deficiencies in the setting that were identified in the investigation. The licensing agency should monitor the implementation of this plan and should notify the licensee when the plan has been completed to its satisfaction. (6.12)

Not all allegations of child abuse or neglect are, in and of themselves, of such a serious nature as to require immediate action by the licensing agency, but the licensing agency should be authorized to take whatever action is necessary to protect the health, safety, and welfare of children. All licensing agencies should have the authority to suspend or revoke a license immediately upon an initial finding that children are in danger.

Agencies that license child care settings should mandate that licensees, their employees, and their volunteers be trained in:

- The statutes and regulations regarding child abuse and neglect reporting that are pertinent to the setting's licensing and employment requirements;
- Recognizing the signs and understanding the dynamics of child abuse and neglect, particularly in nonfamilial care settings;
- Child development;
- Practices for assuring quality care in the particular child care setting; and

- Community collaboration. (5.23)

All agencies that license and/or regulate programs that care for children outside of their own homes should provide for the timely and consistent monitoring of the settings for which they are responsible. Programs should be monitored on-site at least annually, and unannounced monitoring should occur when warranted to ensure the quality care of children.

Licensing and Credentialing of Practitioners

Groups that license or credential individual practitioners should inform and educate those professionals as well as their agencies about the complex issues and responsibilities related to child abuse and neglect. Licensing and credentialing standards should be sufficient to assure the safety and well-being of children.

Licensing and credentialing authorities should:

- Assure that their staff comply with mandatory reporting statutes and respond immediately if there is a concern about the professional actions of any practitioner;
- Assure that professionals report child abuse and neglect and that they understand that such reporting is an inherent part of the process of helping children and their families; and
- Work with the child protection agency and community partners to conduct child abuse and neglect training.

Accreditation

Child-serving agencies should be familiar with and strive to meet national practice and operation standards.

Accreditation groups should:

- Set standards sufficient to assure the safety and well-being of children, including standards relating to the licensure of professional staff;
- Require agencies to periodically provide information demonstrating their continued compliance with the accreditation standards;
- Offer consultative services to help agencies continu-

ally improve their program based on the accreditation standards; and

- Routinely update the accreditation standards to reflect the most recent knowledge of best practice, community-based service provision, and research.

6.9 Nonemployees Present in the Child Care Setting

The child-serving organization should conduct a comprehensive background review on those individuals who will be present in the child care setting at the time services are provided and who are not employees of the agency.

Incidents of child abuse or neglect in settings outside the family may be committed by nonemployees who are present in the child care setting, including adults and minors who have a history of physical or sexual aggression and volunteers who may have unsupervised access to children.

As a condition of the child-serving organization's licensure, nonemployees who will be in a child care setting during the time children are present should be asked if they:

- Have ever been convicted of or charged with any crime against a person, crime against children, or sexual offense of any type;
- Are currently the subject of a child abuse or neglect investigation; and
- Have ever been the recipient of a finding of substantiated child abuse or neglect by a child protective service agency as a result of an investigation into one of these alleged acts. (5.15, 6.4)

Responding to Reports of Child Abuse and Neglect in Settings Outside of the Home

State or provincial statutes dictate who within the community should respond to reports of abuse and neglect outside of the home. Typically, law enforcement is responsible for the investigation of these reports.

6.10 Role of Parents in Responding to Abuse or Neglect Outside the Home

The child protection agency should recognize and respect the responsibility of parents to ensure the immediate protection and treatment of their children when they are abused or neglected in settings outside of the home. (1.4, 3.2)

Parents concerned about child abuse or neglect should:

- Report their concerns to the appropriate authorities;
- Take steps to protect their child before, during and after the investigation; and
- Obtain services for their child to minimize the trauma and effects of the abuse or neglect.

6.11 Role of Law Enforcement in Responding to Abuse or Neglect in Settings Outside of the Home

The child protection agency should work with law enforcement in responding to reports of abuse or neglect when the child is in the custody of the state or in a placement sponsored by the child protection agency; law enforcement should take the lead in investigating reports of child abuse and neglect in other settings outside of the home.

Because child abuse investigations require the interviewing and observation of young children, some of whom are preverbal, specialized training should be provided to law enforcement agencies. (1.13, 3.1, 3.3, 6.13)

To protect children in facilities outside of the home, law enforcement agencies should:

- Enforce laws to protect children when abuse or neglect occurs;
- Develop written agreements with the child protection agency and/or the appropriate licensing entity related to the referral of reports and investigation;
- Determine whether a crime has occurred and, if so, who has committed the crime;
- Determine the safety of the child and if there is a need for protective custody;

- Refer the family to child protective services or another designated community partner if treatment and support services are needed;
- Complete a background check on the person who has been accused of the abuse and neglect, and review juvenile and adult sexual offender registries if available;
- Provide findings to the licensing agency to determine whether or not there are licensing violations or concerns; and
- Make decisions regarding the arrest and referral for prosecution of the person accused of the abuse.

6.12 Role of Child Protective Services in Responding to Abuse or Neglect in Settings Outside of the Home

The child protection agency should respond to reports of child abuse and neglect in settings outside of the home as required by state or provincial statute and agency policy.

The child protection agency should be available to assist the family if services are needed or the child needs protection, and should work with law enforcement and licensing agencies to develop written agreements on how and when they will share reports of child abuse and neglect.

State and provincial laws vary as to the mandatory involvement of child protection agencies in responding to abuse and neglect in settings outside of the home. In many jurisdictions, the agency is mandated to conduct an investigation, often in concert with law enforcement. In other localities, law enforcement may have complete responsibility for investigating all or some of the reports. (1.13, 4.1, 6.11)

Depending on the state and provincial statutes, the child protection agency should:

- Assist law enforcement in the investigation of child abuse and neglect reports;
- Obtain or provide services for the family to ameliorate the effects of child abuse or neglect;
- Assist law enforcement in obtaining protective services for the child, if necessary; and
- Suggest training and policy revisions for agencies where abuse or neglect has occurred, if warranted.

6.13 Reports of Child Abuse or Neglect in Family Foster Homes*

Reports of child abuse and neglect in family foster homes should be responded to immediately and thoroughly by the designated agency.

In some states or provinces, responding to such reports may require the involvement of law enforcement officials or the child protection agency. (6.11, 6.12) Due to the familial setting of these reports and the potential for multidisciplinary investigation (i.e., law enforcement, child protective services, licensing agency, supervising agency) special protocols should be established. (4.1)

The investigative agency should:

- Assess the risk to the child in the family foster home and determine whether removal (at least temporarily) or other action is necessary to protect the child;
- Assure that the foster parents are treated with honesty and respect during the investigation and are told what they might expect as the investigation continues;
- Understand that foster parents are members of the child's multidisciplinary team and, as such, often can provide information on the history and emotional issues of the child; and
- Keep the parents, foster family, courts, and agencies involved with the child advised as to the progress and the findings of the investigation.

Children who have been abused or neglected while in family foster care may need specialized treatment to deal with the emotional effects of the abuse. In addition, the foster family may need services to address the issues that resulted in the abuse or neglect. The child protective services staff assessing the situation should collaborate with appropriate staff within or outside the agency to obtain appropriate services and supports.

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* See also CWLA's *Standards of Excellence for Family Foster Care Services* [CWLA 1995].

Glossary

Adjudicatory Hearing—A court proceeding held to determine whether the allegations of a petition are supported by legally admissible evidence and whether the court has jurisdiction of the child.

Assessment—The process used with the family to determine if the child has been abused or neglected and if intervention is needed to ensure child safety and to reduce the risk of future abuse or neglect. This process includes, but is not limited to, what has traditionally been called an investigation, and it occurs throughout the life of the agency's involvement with the family.

Case Plan—An agreement, usually written, developed between the family, the child protective services social worker, and other service providers. It outlines the tasks necessary by all individuals to achieve the goals and objectives to sufficiently reduce the risk of future child abuse and neglect.

Caseload—All individuals (usually counted as children or families) for whom a social worker is responsible, as expressed in a ratio of clients to staff members.

Child Protective Services (CPS)—A process beginning with the assessment of reports of child abuse and neglect. If it is determined that the child is at risk of or has been abused or neglected then CPS includes the provision of services and supports to the child and his/her family by the public child protection agency and the community.

Child Well-Being—The healthy physical, emotional, intellectual, and spiritual development of a child.

Collaboration—A process of individuals and organizations in a community working together toward a common purpose. All parties have a contribution to and a stake in the outcome.

Community—A group of individuals or families that share certain values, services, institutions, interests, and/or geographic proximity.

Confidentiality—The protection of information obtained during child protective services intervention from release to organizations or individuals not entitled to it by law or policy.

Court-Appointed Special Advocate (CASA)—A trained person (usually a volunteer) appointed by the juvenile or family court to assure that the needs and best interests of the child are addressed during the court process.

Dispositional Hearing—A court hearing held to decide what action should be taken after the court has conducted an adjudicatory hearing and has determined the case is within its jurisdiction. Decisions commonly made at the dispositional hearing include whether the child should be removed from the home and what services are needed to reduce risks and prevent future abuse or neglect.

Emotional Maltreatment—Parental or other caregiver acts or omissions, such as rejecting, terrorizing, berating, ignoring, or isolating a child, that cause, or are likely to cause, serious impairment of the physical, social, mental, or emotional capacities of the child.

Expungement—The destruction of records of minors or adults, after the passage of a specified period of time or when the person reaches a specified age.

Guardian ad Litem—An adult person (lawyer or trained lay person) appointed by the court to represent a child's best interests in juvenile or family court (*see* Court-Appointed Special Advocate).

Investigation—An inquiry or search by law enforcement and CPS to determine the validity of a report of child abuse or neglect and/or to determine if a crime has been committed

Jurisdiction—The power of a particular court to hear cases involving certain categories or allegations.

Juvenile and Family Courts—Established in states to handle legal matters concerning juveniles. Most often they have jurisdiction

over child abuse and neglect, status offenders, and juvenile delinquency. In some states, they also have jurisdiction over domestic violence, divorce, child custody, and child support.

Kinship Care—The full-time care of children by relatives, members of their tribes or clans, godparents, stepparents, or other adults who have a kinship bond with a child.

Mandated Reporter—A person who in his/her professional capacity is required by state or provincial law to report suspected child abuse or neglect to the designated state or provincial agency. In some states, all adults are mandated to report suspected child abuse or neglect.

Harm—An injury received as a result of physical abuse, sexual abuse, neglect, or emotional maltreatment.

Multidisciplinary Team—A group established among agencies or individuals to promote collaboration and shared decisionmaking around the protection of children. Some multidisciplinary teams address issues related to individual children and families, while others focus more on communitywide prevention and protection strategies.

Neglect—Failure of parents or other caregivers, for reasons not solely due to poverty, to provide the child with needed age-appropriate care, including food, clothing, shelter, protection from harm, supervision appropriate to the child's development, hygiene, education, and medical care.

Petition—A legal document filed with the court to initiate a juvenile or family court action. The petition sets forth the alleged grounds for the court to take jurisdiction of the child.

Physical Abuse—Physical acts by parents or other caregivers that cause, or could have caused, physical injury to the child.

Probable Cause—A strong likelihood that a crime was committed and that the alleged offender committed the crime.

Protective Custody—The emergency removal of a child from his/her home when the child's safety cannot be reasonably assured.

Risk Assessment—An assessment of the likelihood that a child will be abused or neglected in the future.

Safety—A child is safe if an analysis of all available information leads to the conclusion that the child in his/her current living arrangement is not in imminent danger of harm and no interventions are necessary to ensure the child's safety.

Sexual Abuse—Sexual activity by a parent or other caregiver with a child, including, but not limited to, any kind of sexual contact through persuasion, physical force, or other coercive means; exploitation through sexual activity that is allowed, encouraged, or coerced; and child prostitution or pornography.

Social Work—The professional activity of helping individuals, groups, or communities enhance or restore their capacity for social functioning and creating societal conditions favorable to this goal.

Social Work Practice—The professional application of social work values, principles, and techniques toward achievement of one or more of the following ends:

- Helping people obtain tangible services;
- Counseling with individuals, families and groups;
- Helping communities or groups provide or improve social and health services; and
- Participating in the legislative process.

The practice of social work requires knowledge of human development and behavior; of social, economic, and cultural institutions; and of the interaction of these factors.

Substantiated—A finding after the initial assessment that there is credible evidence that child abuse or neglect has occurred.

Unsubstantiated—A finding after the initial assessment that insufficient credible evidence exists to show that child abuse or neglect has occurred.

Workload—The amount of work required to successfully manage a case and bring it to resolution. It is based on the responsibilities assigned to complete a specific task, or set of tasks, for which the social worker is responsible.

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